

Standing Appropriations Bill Senate File 452

As amended by H-1404

(Strike everything after the enacting clause)

Last Action:
**House Appropriations
Committee**
May 1, 2013

An Act relating to state and local finances by making appropriations, providing for fees, providing for legal responsibilities, providing for certain employee benefits, and providing for properly related matters, and including effective date and retroactive and other applicability provisions.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available on line at <http://www.legis.iowa.gov/LSAReports/noba.aspx>
LSA Contact: David Reynolds (515-281-6934)

FUNDING SUMMARY

Senate File 452, as amended, makes adjustments to standing appropriations currently in statute as well as making various new appropriations. This amendment impacts General Fund appropriations levels for FY 2014 and FY 2015 as follows:

Page 1, Line 5

- FY 2014: Provides a net decrease in appropriations of \$50.1 million.
- FY 2015: Provides a net decrease in appropriations of \$29.2 million.

Within current statute, there are \$2,988.1 million in General Fund standing appropriations estimated for FY 2014 and \$2,991.0 million for FY 2015. The amendment reduces current law standing appropriations by a net total of \$50.3 million in FY 2014 and \$29.2 million in FY 2015. Additionally, the amendment provides new appropriations totaling \$235,000 for FY 2014.

Adjustments to General Fund standing appropriations for FY 2014 and FY 2015:

- Reduces the FY 2014 standing appropriation for the Legislative Branch by \$3.0 million.
- Limits the appropriation to the Department of Management for the payment of Appeal Board Claims to \$3.0 million for FY 2014.
- Limits the appropriation to the Department of Cultural Affairs for operational support grants and community cultural grants to \$417,000 for FY 2014 and \$208,000 for FY 2015.
- Limits the appropriation to the Iowa Economic Development Authority for regional tourism marketing to \$810,000 for FY 2014 and \$405,000 for FY 2015.
- Limits the appropriation to the Department of Education for Children At-Risk Programs to \$10.7 million for FY 2014 and \$5.4 million for FY 2015.
- Notwithstanding the appropriation to the Department of Education for Instructional Support State Aid, resulting in no funding for the program in FY 2014 and FY 2015. This represents an appropriation reduction of \$14.8 million in both fiscal years.
- Limits the funding to the Department of Education for nonpublic school transportation to \$8.6 million for FY 2014 and FY 2015.
- Eliminates the \$5.0 million annual appropriations for FY 2014 and FY 2015 for the Peace Officers' Retirement System. The \$5.0 million standing appropriation remains in place for FY 2016 and subsequent years.
- Reduces the FY 2014 State aid funding to area education agencies (AEAs) by \$20.0 million

EXECUTIVE SUMMARY

H1404

AMENDMENT TO STANDING APPROPRIATIONS BILL

- Limits the funding to the Department of Revenue for tobacco reporting enforcement to \$18,000 in FY 2014 and \$9,000 in FY 2015.

New General Fund appropriations for FY 2014:

- Appropriates \$50,000 for FY 2014 to the Department of Human Rights for costs associated with Individual Development Accounts (IDAs).
- Appropriates \$50,000 for FY 2014 to the Banking Division of the Department of Commerce to implement a financial literacy program.
- Appropriates an estimated \$135,000 from the General Fund for FY 2014 to the Street Construction Fund to provide a one-time appropriation for payment to certain cities where corrections were made to the census count by the U.S. Census Bureau, retroactive to April 2011.

MAJOR INCREASES/DECREASES/TRANSFERS OF EXISTING PROGRAMS

Amends HF 603 (Administration and Regulation Appropriations Bill) and authorizes an additional 3.0 FTE positions for the Governor's Office and 1.0 FTE position for the Department of Management.

Page 4, Line 1

STUDIES AND INTENT

Directs the Department of Human Services to adopt administrative rules to provide that the costs of staff training incurred by providers of home and community-based services under Medicaid are reimbursable as direct costs.

Page 4, Line 11

Requests the Legislative Council to create an interim study committee during the 2013 interim to review the payment of general education and special education costs associated with student services provided by private agencies.

Page 27, Line 32

SIGNIFICANT CODE CHANGES

Requires all individuals with a duty related to death certification to use an electronic death record system when one is activated.

Page 4, Line 22

EXECUTIVE SUMMARY

H1404

AMENDMENT TO STANDING APPROPRIATIONS BILL

Amends the list of exceptions for a pharmacist exercising drug product substitutions to include that a pharmacist cannot exercise drug product substitution if a specific drug product is written on the prescription for a diagnosis of epilepsy. If a pharmacy does not have the specific drug prescribed the pharmacist is required to notify the patient and the prescriber. The Board of Pharmacy is required to adopt rules regarding notification of the patient and prescriber. Page 4, Line 33

Removes the \$4,000 upper limitation on awards under the Iowa Tuition Grant Program. As a result, awards will be limited to an amount equal to the annual undergraduate tuition and fees at a Regents university. Page 5, Line 11

Provides that children of a police officer killed in the line of duty and who is covered under Protection Occupation class of the Iowa Public Employees Retirement System (IPERS), are added to the list of qualified students for the Iowa Grant Program. Page 5, Line 29

Amends current law relating to funds that remain in a nonguaranteed irrevocable burial trust fund or from the proceeds of an insurance policy or annuity made payable to the seller or a provider (i.e., insurance agent) after the payment of funeral and burial expenses. Under current law, the seller is required to disburse any remaining funds from the burial trust fund to the representative of the deceased. This amendment changes the requirement so that a seller is required to disburse any remaining funds in excess of \$500. Page 5, Line 37

Division III of this Bill contains a variety of nonsubstantive statutory corrective provisions to the Iowa Code and the 2013 Iowa Acts. Page 5, Line 44

Makes numerous changes to laws pertaining to eminent domain. Page 16, Line 14

Strikes the July 1, 2013, sunset of the Property Assessment Appeal Board (PAAB) and eliminates the PAAB Review Committee. Modifies the grounds for filing an appeal and changes the deadline for appeals to be within 20 days of the adjournment of the local board of review or May 31, whichever is later. Allows for waiving the 30-day appeal hearing notice upon mutual agreement of all parties to the appeal. This language was contained in HF 621 (Property Assessment Appeal Board Revisions). Page 23, Line 10

FISCAL IMPACT: Since the sunset is eliminated, the costs for the Board to continue to operate are estimated at \$874,000 in FY 2014 and \$882,000 in FY 2015.

Provides for the registration of all-terrain vehicles (ATVs) authorized for operation on secondary roads or city streets where authorized by local ordinance. Operators must be age 16 or older and possess a valid Page 28, Line 3

EXECUTIVE SUMMARY

H1404

AMENDMENT TO STANDING APPROPRIATIONS BILL

driver's license. Establishes an annual registration fee of \$50 for ATVs operated on secondary roads or city streets. The registration fees are in addition to the requirements of Iowa Code chapter 321I. All ATVs utilized exclusively as a farm implement are exempt from registration fee.

Requires state employees and elected officials of all branches of government to pay 20.0% of their total health insurance premium and allows for employees and elected officials to receive a wellness credit.

Page 37, Line 27

Expands current law to apply to a broader range of devices that interfere with radar speed meters and laser speed meters. The fine amount remains the same as current law, a simple misdemeanor punishable by a scheduled fine of \$100. Current law prohibits the sale, operation, or possession of a radar jamming device.

Page 40, Line 22

Requires personally identifying information of holders of nonprofessional permits to carry weapons and permits to acquire pistols or revolvers to be kept confidential. However, statistical information can be released as long as it does not identify the permit holder. This section specifies that a person who knowingly misleads a licensed firearms dealer or private seller of firearms to transfer a firearm or ammunition under circumstances that the person knows will violate the laws of Iowa or the United States commits a Class D felony. A person that provides false information to a licensed firearms dealer or private seller of firearms with the intent to deceive the dealer or seller commits a Class D felony.

Page 41, Line 17

Provides technical and conforming changes to the Notary Public statute in the Iowa Code.

Page 42, Line 46

Creates the Financial Literacy Fund under the direction of the Superintendent of the Banking Division for the purpose of implementing a financial literacy program.

Page 45, Line 42

H1404 provides for the following changes to the Code of Iowa.

| Page # | Line # | Bill Section | Action | Code Section |
|--------|--------|--------------|--------|-----------------|
| 3 | 15 | 6 | Amend | 97A.11A.1 |
| 3 | 25 | 7 | Add | 257.35.7A |
| 4 | 22 | 11 | Add | 144.26.5 |
| 4 | 33 | 12 | Amend | 155A.32.2 |
| 5 | 2 | 13 | Add | 155A.32.4 |
| 5 | 11 | 14 | Amend | 261.12.1 |
| 5 | 29 | 15 | Amend | 261.93.2.b.(4) |
| 5 | 37 | 16 | Amend | 523A.303.1.b |
| 5 | 46 | 17 | Amend | 2.12 |
| 6 | 39 | 18 | Amend | 2.42.14 |
| 6 | 46 | 19 | Amend | 2C.3 |
| 7 | 5 | 20 | Amend | 2C.9 |
| 7 | 12 | 21 | Amend | 2C.11 |
| 7 | 19 | 22 | Amend | 2C.18 |
| 7 | 35 | 23 | Amend | 8B.21.5.e |
| 7 | 44 | 24 | Amend | 23A.4 |
| 8 | 2 | 25 | Amend | 29.1 |
| 8 | 13 | 26 | Amend | 35A.13.6A.b.(1) |
| 8 | 36 | 27 | Amend | 70A.28.2,6,8 |
| 9 | 20 | 28 | Amend | 105.10.3 |
| 9 | 39 | 29 | Amend | 105.32 |
| 10 | 1 | 30 | Amend | 126.11.3.b |
| 10 | 23 | 31 | Amend | 249A.43 |
| 10 | 31 | 32 | Amend | 252D.17 |
| 10 | 45 | 33 | Amend | 263B.3 |
| 11 | 6 | 34 | Add | 321.463.12A |
| 11 | 23 | 35 | Amend | 321E.9A.1 |
| 11 | 35 | 36 | Amend | 327F.39.6 |
| 11 | 43 | 37 | Amend | 418.5.1 |
| 12 | 7 | 38 | Amend | 426A.11.1 |
| 12 | 14 | 39 | Add | 455B.275.3A |
| 12 | 26 | 40 | Amend | 490.863 |
| 12 | 34 | 41 | Amend | 490.1302.2.d |
| 12 | 42 | 42 | Amend | 522.6 |
| 13 | 8 | 43 | Amend | 533.405.4A |
| 13 | 27 | 44 | Amend | 543C.2 |
| 13 | 43 | 45 | Amend | 556.2.5 |
| 14 | 4 | 46 | Amend | 716.7 |
| 14 | 31 | 47 | Amend | 724.2 |
| 16 | 14 | 56 | New | 6A.15 |
| 16 | 34 | 57 | Amend | 6A.19 |
| 16 | 45 | 58 | Amend | 6A.22.2.c.(1) |
| 18 | 11 | 59 | Add | 6B.54.10.a.(3) |
| 18 | 23 | 60 | New | 6B.56B |
| 19 | 9 | 61 | Amend | 403.7.1 |
| 19 | 23 | 62 | New | 423B.11 |
| 19 | 34 | 63 | Add | 455A.5.7 |
| 19 | 44 | 64 | Amend | 456A.24.2 |
| 20 | 1 | 65 | Add | 456A.24.15 |

H1404 provides for the following changes to the Code of Iowa.

| Page # | Line # | Bill Section | Action | Code Section |
|--------|--------|--------------|--------------------|-------------------|
| 20 | 11 | 66 | Amend | 461A.7 |
| 20 | 20 | 67 | Amend | 461A.10 |
| 20 | 32 | 68 | Amend | 463C.8.1.k |
| 20 | 38 | 69 | Repeal | 461A.9,461A.75 |
| 21 | 14 | 74 | Add | 312.3.2.d |
| 22 | 4 | 78 | Add | 522B.1.7A,12A |
| 22 | 21 | 79 | Strike and Replace | 522B.11.7 |
| 23 | 12 | 80 | Amend | 421.1A.6 |
| 23 | 24 | 81 | Strike | 421.1A.7 |
| 23 | 26 | 82 | Amend | 441.21.3 |
| 23 | 50 | 83 | Amend | 441.35.2 |
| 24 | 31 | 84 | Amend | 441.37.1.a,b |
| 26 | 5 | 85 | Amend | 441.37A.1.b |
| 26 | 26 | 86 | Amend | 441.37A.2.a |
| 26 | 49 | 87 | Amend | 441.37A.3.a |
| 28 | 3 | 92 | Amend | 321.1.32 |
| 28 | 33 | 93 | Amend | 321.1.47A |
| 28 | 46 | 94 | Add | 321.105A.2.c.(31) |
| 29 | 4 | 95 | Amend | 321.109.1.a |
| 30 | 16 | 96 | New | 321.118 |
| 30 | 42 | 97 | Amend | 321.166.1.a |
| 31 | 1 | 98 | Amend | 321.166.4 |
| 31 | 9 | 99 | Strike | 321.234A.1.f |
| 31 | 11 | 100 | Add | 321.234A.5 |
| 31 | 17 | 101 | New | 321.234B |
| 32 | 5 | 102 | Add | 321.236.14A |
| 32 | 11 | 103 | Add | 321.285.6A |
| 32 | 18 | 104 | Amend | 321F.1.7 |
| 32 | 24 | 105 | Amend | 321H.2.10 |
| 32 | 32 | 106 | Amend | 321I.9 |
| 32 | 37 | 107 | Amend | 321I.10.1 |
| 32 | 43 | 108 | Strike | 321I.10.2,3 |
| 32 | 45 | 109 | Amend | 321I.31.1 |
| 33 | 14 | 110 | Amend | 322.2.13,23 |
| 33 | 26 | 111 | Amend | 322A.1.8 |
| 33 | 33 | 112 | Amend | 331.362.9 |
| 33 | 41 | 113 | Amend | 423.1.66 |
| 33 | 47 | 114 | Amend | 516E.1.6 |
| 34 | 2 | 115 | Amend | 537B.2.2 |
| 34 | 11 | 116 | Add | 805.8A.6.0a |
| 34 | 17 | 117 | Amend | 17A.4.3 |
| 35 | 15 | 118 | Amend | 17A.4.7 |
| 35 | 34 | 119 | Add | 17A.4.9 |
| 35 | 45 | 120 | Amend | 17A.8.9 |
| 36 | 39 | 121 | Amend | 17A.23 |
| 37 | 27 | 122 | Amend | 2.40.1.a.(2) |
| 37 | 44 | 123 | New | 8A.440 |
| 40 | 22 | 128 | Amend | 321.232 |
| 41 | 10 | 129 | Amend | 805.8A.14.g |

H1404 provides for the following changes to the Code of Iowa.

| Page # | Line # | Bill Section | Action | Code Section |
|---------------|---------------|---------------------|---------------|---------------------|
| 41 | 17 | 130 | Amend | 724.23 |
| 42 | 2 | 131 | New | 724.29A |
| 42 | 46 | 134 | Amend | 9B.15.3 |
| 43 | 1 | 135 | Amend | 9B.17.1.a |
| 43 | 15 | 136 | Amend | 321I.31.3 |
| 43 | 38 | 137 | Amend | 462A.77.4 |
| 44 | 11 | 138 | Amend | 554.3505.2 |
| 44 | 25 | 139 | Amend | 589.4 |
| 44 | 44 | 140 | Amend | 589.5 |
| 45 | 16 | 141 | Amend | 622.86 |
| 45 | 42 | 143 | New | 524.107A |

1 44 the fiscal year beginning July 1, 2013, and ending June
 1 45 30, 2014, the amounts appropriated from the general
 1 46 fund of the state pursuant to these sections for the
 1 47 following designated purposes shall not exceed the
 1 48 following amounts:

1 49 1. For paying claims against the state under
 1 50 section 25.2:
 2 1 \$ 3,000,000

Limits the General Fund appropriation to the Department of Management for the payment of Appeal Board Claims to \$3,000,000 for FY 2014.

DETAIL: Appeal Board claims for FY 2014 are estimated to be \$7,086,307.

2 2 2. For operational support grants and community
 2 3 cultural grants under section 99F.11, subsection 3,
 2 4 paragraph "d", subparagraph (1):
 2 5 \$ 416,702

Limits the FY 2014 General Fund appropriation to the Department of Cultural Affairs (DCA) for operational support grants and community cultural grants to \$416,702.

DETAIL: This is a decrease of \$103,298 compared to the standing appropriation of \$520,000 specified in statute. This represents the same level of funding appropriated for FY 2013. Iowa Code section 99F.11 funds this Program with wagering tax revenues that are deposited in the General Fund and then appropriated to the DCA.

2 6 3. For regional tourism marketing under section
 2 7 99F.11, subsection 3, paragraph "d", subparagraph (2):
 2 8 \$ 810,306

Limits the FY 2014 General Fund appropriation to the Iowa Economic Development Authority (IEDA) for regional tourism marketing to \$810,306.

DETAIL: This is a decrease of \$353,694 compared to the estimated standing appropriation of \$1,164,000. This represents the same level of funding appropriated for FY 2013. Iowa Code section 99F.11 funds this Program with wagering tax revenues that are deposited in the General Fund and then appropriated to the IEDA.

2 9 4. For programs for at-risk children under section
 2 10 279.51:
 2 11 \$ 10,728,891
 2 12 The amount of any reduction in this subsection shall
 2 13 be prorated among the programs specified in section
 2 14 279.51, subsection 1, paragraphs "a", "b", and "c".

Limits the FY 2014 General Fund appropriation to the Department of Education for Children At-Risk Programs to \$10,728,891.

DETAIL: This is a decrease of \$1,877,299 compared to the standing appropriation of \$12,606,190 specified in statute. This represents the same level of funding appropriated for FY 2013.

2 15 5. For payment for nonpublic school transportation
 2 16 under section 285.2:
 2 17 \$ 8,560,931
 2 18 If total approved claims for reimbursement for
 2 19 nonpublic school pupil transportation exceed the amount

Limits the General Fund appropriation to the Department of Education for nonpublic school transportation to \$8,560,931.

DETAIL: This is an increase of \$1,500,000 compared to FY 2013, and a decrease of \$1,100,000 compared to the estimated standing

| | |
|--|--|
| <p>2 20 appropriated in accordance with this subsection, the 2 21 department of education shall prorate the amount of 2 22 each approved claim.</p> | <p>appropriation of \$9,660,931 specified in current law.</p> |
| <p>2 23 6. For the enforcement of chapter 453D relating to 2 24 tobacco product manufacturers under section 453D.8: 2 25 \$ 18,416</p> | <p>Limits the General Fund appropriation to the Department of Revenue for tobacco reporting enforcement to \$18,416.</p> <p>DETAIL: This is the same level of funding provided in FY 2013, and a decrease of \$6,584 compared to the \$25,000 standing appropriation specified in statute.</p> |
| <p>2 26 Sec. 4. LIMITATIONS OF STANDING APPROPRIATIONS 2 27 — FY 2014-2015. Notwithstanding the standing 2 28 appropriations in the following designated sections for 2 29 the fiscal year beginning July 1, 2014, and ending June 2 30 30, 2015, the amounts appropriated from the general 2 31 fund of the state pursuant to these sections for the 2 32 following designated purposes shall not exceed the 2 33 following amounts:</p> | <p>CODE: Limits selected FY 2015 standing appropriations to specified amounts.</p> |
| <p>2 34 1. For operational support grants and community 2 35 cultural grants under section 99F.11, subsection 3, 2 36 paragraph "d", subparagraph (1): 2 37 \$ 208,351</p> | <p>Limits the FY 2015 General Fund appropriation to the Department of Cultural Affairs (DCA) for operational support grants and community cultural grants to \$208,351.</p> <p>DETAIL: This is a decrease of \$311,649 compared to the standing appropriation of \$520,000 specified in statute and represents 50.0% of the amount appropriated for FY 2014. Iowa Code section 99F.11 funds this Program with wagering tax revenues that are deposited in the General Fund and then appropriated to the DCA.</p> |
| <p>2 38 2. For regional tourism marketing under section 2 39 99F.11, subsection 3, paragraph "d", subparagraph (2): 2 40 \$ 405,153</p> | <p>Limits the FY 2015 General Fund appropriation to the Department of Cultural Affairs (DCA) for operational support grants and community cultural grants to \$208,351.</p> <p>DETAIL: This is a decrease of \$311,649 compared to the standing appropriation of \$520,000 specified in statute and represents 50.0% of the amount appropriated for FY 2014. Iowa Code section 99F.11 funds this Program with wagering tax revenues that are deposited in the General Fund and then appropriated to the DCA.</p> |
| <p>2 41 3. For programs for at-risk children under section 2 42 279.51: 2 43 \$ 5,364,445 2 44 The amount of any reduction in this subsection shall 2 45 be prorated among the programs specified in section 2 46 279.51, subsection 1, paragraphs "a", "b", and "c".</p> | <p>Limits the FY 2014 General Fund appropriation to the Department of Education for Children At-Risk Programs to \$5,364,445.</p> <p>DETAIL: This is a decrease of \$7,241,745 compared to the standing appropriation of \$12,606,190 specified in statute and represents 50.0% of the amount appropriated for FY 2014.</p> |

2 47 4. For payment for nonpublic school transportation
 2 48 under section 285.2:
 2 49 \$ 8,560,931
 2 50 If total approved claims for reimbursement for
 3 1 nonpublic school pupil transportation exceed the amount
 3 2 appropriated in accordance with this subsection, the
 3 3 department of education shall prorate the amount of
 3 4 each approved claim.

Limits the General Fund appropriation to the Department of Education for nonpublic school transportation to \$8,560,931.

DETAIL: This is a decrease of \$1,100,000 compared to the estimated standing appropriation of \$9,660,931 specified in current law and represents the same level of funding appropriated for FY 2014.

3 5 5. For the enforcement of chapter 453D relating to
 3 6 tobacco product manufacturers under section 453D.8:
 3 7 \$ 9,208

Limits the General Fund appropriation to the Department of Revenue for tobacco reporting enforcement to \$9,208.

DETAIL: This is a decrease of \$15,792 compared to the \$25,000 standing appropriation specified in statute and represents 50.0% of the amount appropriated for FY 2014.

3 8 Sec. 5. INSTRUCTIONAL SUPPORT STATE AID —
 3 9 FY 2013-2014 — FY 2014-2015. In lieu of the
 3 10 appropriation provided in section 257.20, subsection 2,
 3 11 the appropriation for the fiscal years beginning July
 3 12 1, 2013, and July 1, 2014, for paying instructional
 3 13 support state aid under section 257.20 for fiscal years
 3 14 2013-2014 and 2014-2015 is zero.

Eliminates the General Fund standing appropriation of \$14,800,000 for the Instructional Support Program for FY 2014 and FY 2015.

DETAIL: The Program also received no funding in FY 2013. Although no State funding will be provided for the Program, school districts that implement the Program will use local property tax and income surtax to fund their portion of the Program. In FY 2013, 336 districts (96.6%) implemented the Program and generated \$189,900,000 in local taxes (\$85,700,000 in income surtax and \$104,200,000 in property taxes) to fund the Program.

3 15 Sec. 6. Section 97A.11A, subsection 1, Code 2013,
 3 16 is amended to read as follows:
 3 17 1. Beginning with the fiscal year commencing July
 3 18 1, ~~2013~~ 2015, and ending June 30 of the fiscal year
 3 19 during which the board determines that the system's
 3 20 funded ratio of assets to liabilities is at least
 3 21 eighty-five percent, there is appropriated from the
 3 22 general fund of the state for each fiscal year to the
 3 23 retirement fund described in section 97A.8, an amount
 3 24 equal to five million dollars.

CODE: Delays the implementation of a \$5,000,000 General Fund standing appropriation to FY 2016 for the Public Safety Peace Officers' Retirement System (PORS).

DETAIL: During the 2010 Legislative Session, HF 2518 (Public Pension Retirement Act) established a standing limited appropriation of \$5,000,000 per year for the PORS beginning in FY 2013. The purpose of the standing appropriation is to provide additional funding until the ratio of assets to liabilities is equal to 85.00%.

3 25 Sec. 7. Section 257.35, Code 2013, is amended by
 3 26 adding the following new subsection:
 3 27 NEW SUBSECTION 7A. Notwithstanding subsection 1,
 3 28 and in addition to the reduction applicable pursuant
 3 29 to subsection 2, the state aid for area education
 3 30 agencies and the portion of the combined district cost
 3 31 calculated for these agencies for the fiscal year
 3 32 beginning July 1, 2013, and ending June 30, 2014, shall

CODE: Reduces the FY 2014 State aid funding to area education agencies (AEAs) by \$20,000,000.

DETAIL: In addition to the \$20,000,000 State aid reduction for FY 2014, the AEAs have an annual statutory reduction of \$7,500,000. The State aid reduction to AEAs will total \$27,500,000 and will match the FY 2014 total State aid reduction amount.

3 33 be reduced by the department of management by twenty
 3 34 million dollars. The reduction for each area education
 3 35 agency shall be prorated based on the reduction that
 3 36 the agency received in the fiscal year beginning July
 3 37 1, 2003.

3 38 DIVISION II
 3 39 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

3 40 Sec. 8. INDIVIDUAL DEVELOPMENT ACCOUNT
 3 41 PROGRAM. There is appropriated from the general fund
 3 42 of the state to the department of human rights for the
 3 43 fiscal year beginning July 1, 2013, and ending June 30,
 3 44 2014, the following amounts, or so much thereof as is
 3 45 necessary, for the purposes designated:
 3 46 For deposit in the individual development account
 3 47 state match fund created in section 541A.7 to support
 3 48 the operating organization providing individual
 3 49 development accounts in Iowa:
 3 50 \$ 50,000

General Fund appropriation for FY 2014 to the Department of Human Rights for costs associated with Individual Development Accounts (IDAs).

DETAIL: This is a new appropriation. An IDA is an asset building tool designed to enable low-income families to save towards the purchase of lifelong assets including: a primary residence, home improvements, secondary education, capitalization of a small business start-up, emergency medical expenses, and occupational training costs.

4 1 Sec. 9. HOUSE FILE 603 — FTE AUTHORIZATION.
 4 2 1. For purposes of the offices of the governor and
 4 3 lieutenant governor, there is authorized an additional
 4 4 3.00 full-time equivalent positions above those
 4 5 otherwise authorized pursuant to 2013 Iowa Acts, House
 4 6 File 603, if enacted.
 4 7 2. For purposes of the department of management,
 4 8 there is authorized an additional 1.00 full-time
 4 9 equivalent position above those otherwise authorized
 4 10 pursuant to 2013 Iowa Acts, House File 603, if enacted.

Authorizes an additional 3.00 FTE positions for the Governor's Office and 1.00 FTE position for the Department of Management. This Bill amends HF 603 (Administration and Regulation Appropriations Bill).

4 11 Sec. 10. HOME AND COMMUNITY-BASED SERVICES
 4 12 PROVIDERS — REASONABLE COSTS OF STAFF TRAINING —
 4 13 REIMBURSEMENT AS DIRECT COSTS. The department of
 4 14 human services shall adopt rules pursuant to chapter
 4 15 17A to provide that reasonable costs of staff training
 4 16 incurred by providers of home and community-based
 4 17 services under the medical assistance program are
 4 18 reimbursable as direct costs. Such reimbursement
 4 19 shall include reimbursement of the reasonable costs
 4 20 associated with the learning management system utilized
 4 21 under the college of direct support training program.

Directs the Department of Human Services to adopt administrative rules to provide that the costs of staff training incurred by providers of home and community-based services under Medicaid are reimbursable as direct costs.

4 22 Sec. 11. Section 144.26, Code 2013, is amended by
 4 23 adding the following new subsection:
 4 24 NEW SUBSECTION 5. Upon the activation of an

CODE: Requires all individuals with a duty related to death certification to use an electronic death record system when one is activated.

4 25 electronic death record system, each person with a
 4 26 duty related to death certificates shall participate
 4 27 in the electronic death record system. A person with
 4 28 a duty related to a death certificate includes but
 4 29 is not limited to a physician as defined in section
 4 30 135.1, a physician assistant, an advanced registered
 4 31 nurse practitioner, a funeral director, and a county
 4 32 recorder.

4 33 Sec. 12. Section 155A.32, subsection 2, Code 2013,
 4 34 is amended to read as follows:

4 35 2. The pharmacist shall not exercise the drug
 4 36 product selection described in this section if ~~either~~
 4 37 any of the following is true:

4 38 a. The prescriber specifically indicates that no
 4 39 drug product selection shall be made.

4 40 b. The person presenting the prescription indicates
 4 41 that only the specific drug product prescribed should
 4 42 be dispensed. However, this paragraph does not apply
 4 43 if the cost of the prescription or any part of it will
 4 44 be paid by expenditure of public funds authorized under
 4 45 chapter 249A.

4 46 c. The prescriber indicates that a specific drug
 4 47 product should be dispensed and a diagnosis of epilepsy
 4 48 or seizure disorder is written on the prescription.
 4 49 For the purposes of this paragraph, a "specific drug
 4 50 product" means a specific drug, strength, dosage form,
 5 1 or dosing regimen from a specific manufacturer.

5 2 Sec. 13. Section 155A.32, Code 2013, is amended by
 5 3 adding the following new subsection:

5 4 NEW SUBSECTION 4. If drug product selection is
 5 5 prohibited pursuant to subsection 2, paragraph "c",
 5 6 but the specific drug indicated is not available, the
 5 7 pharmacist shall notify the patient and the prescriber
 5 8 that the drug is not available. The board shall
 5 9 adopt rules regarding notification of the patient and
 5 10 prescriber under this subsection.

5 11 Sec. 14. Section 261.12, subsection 1, Code 2013,
 5 12 is amended to read as follows:

5 13 1. The amount of a tuition grant to a qualified
 5 14 full-time student for the fall and spring semesters, or
 5 15 the trimester equivalent, shall be the amount of the
 5 16 student's financial need for that period. However, a
 5 17 tuition grant shall not exceed the ~~lesser of:~~
 5 18 ~~a. The total tuition and mandatory fees for that~~
 5 19 ~~student for two semesters or the trimester or quarter~~
 5 20 ~~equivalent, less the base amount determined annually~~

FISCAL IMPACT: There is no fiscal impact to the State General Fund.
 There may be some impact to individuals required to submit records
 electronically, but it is expected to be minimal.

CODE: Amends the list of exceptions for a pharmacist exercising drug
 product substitutions to include that a pharmacist cannot exercise drug
 product substitution if a specific drug product is written on the
 prescription for a diagnosis of epilepsy. If a pharmacy does not have
 the specific drug prescribed the pharmacist is required to notify the
 patient and the prescriber. The Board of Pharmacy is required to adopt
 rules regarding notification of the patient and prescriber.

CODE: Removes the \$4,000 upper limitation on awards under the
 Iowa Tuition Grant Program. As a result, awards will be limited to an
 amount equal to the annual undergraduate tuition and fees at a
 Regents university.

DETAIL: The total amount expended on awards is set in a standing
 appropriation in statute and will not be affected by the change. The
 number of awards granted annually could be reduced as a result of the
 change.

5 21 by the college student aid commission, which base
 5 22 amount shall be within ten dollars of the average
 5 23 tuition for two semesters or the trimester equivalent
 5 24 of undergraduate study at the state universities under
 5 25 the board of regents, but in any event the base amount
 5 26 shall not be less than four hundred dollars; ~~or~~
 5 27 ~~—b. For the fiscal year beginning July 1, 2000, and~~
 5 28 ~~for each following fiscal year, four thousand dollars.~~

5 29 Sec. 15. Section 261.93, subsection 2, paragraph
 5 30 b, subparagraph (4), Code 2013, is amended to read as
 5 31 follows:
 5 32 (4) Is the child of a fire fighter or police
 5 33 officer included under section 97B.49B, who was killed
 5 34 in the line of duty as determined by the Iowa public
 5 35 employees' retirement system in accordance with section
 5 36 97B.52, subsection 2.

5 37 Sec. 16. Section 523A.303, subsection 1, paragraph
 5 38 b, unnumbered paragraph 1, Code 2013, is amended to
 5 39 read as follows:
 5 40 At least sixty days after mailing notice to the
 5 41 director, the seller shall disburse any ~~remaining~~
 5 42 funds amount in excess of five hundred dollars from the
 5 43 burial trust fund as follows:

5 44 DIVISION III
 5 45 CORRECTIVE PROVISIONS

5 46 Sec. 17. Section 2.12, unnumbered paragraph 4, Code
 5 47 2013, as amended by 2013 Iowa Acts, House File 185,
 5 48 section 1, is amended to read as follows:
 5 49 There is appropriated out of any funds in the state
 5 50 treasury not otherwise appropriated such sums as
 6 1 may be necessary for the fiscal year budgets of the
 6 2 legislative services agency and the ~~ombudsman~~ office
 6 3 of ombudsman for salaries, support, maintenance, and
 6 4 miscellaneous purposes to carry out their statutory
 6 5 responsibilities. The legislative services agency
 6 6 and the ~~ombudsman~~ office of ombudsman shall submit
 6 7 their proposed budgets to the legislative council not
 6 8 later than September 1 of each year. The legislative
 6 9 council shall review and approve the proposed budgets

CODE: Provides that children of a police officer killed in the line of duty and who is covered under Protection Occupation class of the Iowa Public Employees Retirement System (IPERS), are added to the list of qualified students for the Iowa Grant Program.

CODE: Amends current law relating to funds that remain in a nonguaranteed irrevocable burial trust fund or from the proceeds of an insurance policy or annuity made payable to the seller or a provider (i.e., insurance agent) after the payment of funeral and burial expenses. Under current law, the seller is required to disburse any remaining funds from the burial trust fund to the representative of the deceased. This amendment changes the requirement so that a seller is required to disburse any remaining funds in excess of \$500.

CODE: This Division contains a variety of nonsubstantive statutory corrective provisions to the Iowa Code and the 2013 Iowa Acts. No individual detail is provided but the Legal Services Division of the LSA has reviewed these items and none have a fiscal impact or a substantive impact on policy.

CODE: Corrective provisions for HF 185 (Title Change for Ombudsman Office).

DETAIL: This Bill was enacted by the General Assembly on March 11, 2013, and signed by the Governor on March 28, 2013.

6 10 not later than December 1 of each year. The budget
 6 11 approved by the legislative council for each of its
 6 12 statutory legislative agencies shall be transmitted by
 6 13 the legislative council to the department of management
 6 14 on or before December 1 of each year for the fiscal
 6 15 year beginning July 1 of the following year. The
 6 16 department of management shall submit the approved
 6 17 budgets received from the legislative council to the
 6 18 governor for inclusion in the governor's proposed
 6 19 budget for the succeeding fiscal year. The approved
 6 20 budgets shall also be submitted to the chairpersons of
 6 21 the committees on appropriations. The committees on
 6 22 appropriations may allocate from the funds appropriated
 6 23 by this section the funds contained in the approved
 6 24 budgets, or such other amounts as specified, pursuant
 6 25 to a concurrent resolution to be approved by both
 6 26 houses of the general assembly. The director of
 6 27 the department of administrative services shall
 6 28 issue warrants for salaries, support, maintenance,
 6 29 and miscellaneous purposes upon requisition by the
 6 30 administrative head of each statutory legislative
 6 31 agency. If the legislative council elects to change
 6 32 the approved budget for a legislative agency prior to
 6 33 July 1, the legislative council shall transmit the
 6 34 amount of the budget revision to the department of
 6 35 management prior to July 1 of the fiscal year, however,
 6 36 if the general assembly approved the budget it cannot
 6 37 be changed except pursuant to a concurrent resolution
 6 38 approved by the general assembly.

6 39 Sec. 18. Section 2.42, subsection 14, Code 2013, as
 6 40 amended by 2013 Iowa Acts, House File 185, section 2,
 6 41 is amended to read as follows:
 6 42 14. To hear and act upon appeals of aggrieved
 6 43 employees of the legislative services agency and the
 6 44 office of the ombudsman pursuant to rules of procedure
 6 45 established by the council.

6 46 Sec. 19. Section 2C.3, subsection 2, Code 2013, as
 6 47 enacted by 2013 Iowa Acts, House File 185, section 4,
 6 48 is amended to read as follows:
 6 49 2. The ombudsman shall employ and supervise all
 6 50 employees under the ombudsman's direction in such
 7 1 positions and at such salaries as shall be authorized
 7 2 by the legislative council. The legislative council
 7 3 shall hear and act upon appeals of aggrieved employees
 7 4 of the office of the ombudsman.

CODE: Corrective provisions for HF 185 (Title Change for Ombudsman Office).

DETAIL: This Bill was enacted by the General Assembly on March 11, 2013, and signed by the Governor on March 28, 2013.

CODE: Corrective provisions for HF 185 (Title Change for Ombudsman Office).

DETAIL: This Bill was enacted by the General Assembly on March 11, 2013, and signed by the Governor on March 28, 2013.

7 5 Sec. 20. Section 2C.9, subsection 6, Code 2013, as
7 6 amended by 2013 Iowa Acts, House File 185, section 10,
7 7 is amended to read as follows:
7 8 6. Establish rules relating to the operation,
7 9 organization, and procedure of the office of ~~the~~
7 10 ombudsman. The rules are exempt from chapter 17A and
7 11 shall be published in the Iowa administrative code.

CODE: Corrective provisions for HF 185 (Title Change for Ombudsman Office).

DETAIL: This Bill was enacted by the General Assembly on March 11, 2013, and signed by the Governor on March 28, 2013.

7 12 Sec. 21. Section 2C.11, subsection 1, unnumbered
7 13 paragraph 1, Code 2013, as amended by 2013 Iowa Acts,
7 14 House File 185, section 12, is amended to read as
7 15 follows:
7 16 An appropriate subject for investigation by the
7 17 office of ~~the~~ ombudsman is an administrative action
7 18 that might be:

CODE: Corrective provisions for HF 185 (Title Change for Ombudsman Office).

DETAIL: This Bill was enacted by the General Assembly on March 11, 2013, and signed by the Governor on March 28, 2013.

7 19 Sec. 22. Section 2C.18, Code 2013, as amended by
7 20 2013 Iowa Acts, House File 185, section 20, is amended
7 21 to read as follows:

CODE: Corrective provisions for HF 185 (Title Change for Ombudsman Office).

7 22 2C.18 REPORT TO GENERAL ASSEMBLY.
7 23 The ombudsman shall by April 1 of each year submit
7 24 an economically designed and reproduced report to
7 25 the general assembly and to the governor concerning
7 26 the exercise of the ~~ombudsman~~ ombudsman's functions
7 27 during the preceding calendar year. In discussing
7 28 matters with which the ombudsman has been concerned,
7 29 the ombudsman shall not identify specific persons if
7 30 to do so would cause needless hardship. If the annual
7 31 report criticizes a named agency or official, it shall
7 32 also include unedited replies made by the agency or
7 33 official to the criticism, unless excused by the agency
7 34 or official affected.

DETAIL: This Bill was enacted by the General Assembly on March 11, 2013, and signed by the Governor on March 28, 2013.

7 35 Sec. 23. Section 8B.21, subsection 5, paragraph e,
7 36 if enacted by 2013 Iowa Acts, Senate File 396, section
7 37 3, is amended to read as follows:

CODE: Corrective provisions for SF 396 (Government Efficiency Bill).

7 38 e. The department of public defense shall not be
7 39 required to obtain any information technology services
7 40 pursuant to this chapter for the department of public
7 41 defense that is are provided by the office pursuant
7 42 to this chapter without the consent of the adjutant
7 43 general.

DETAIL: This Bill is not yet enacted (as of April 25, 2013).

7 44 Sec. 24. Section 23A.4, subsection 3, Code 2013, as
7 45 enacted by 2013 Iowa Acts, House File 185, section 27,
7 46 is amended to read as follows:
7 47 3. Chapter 17A and this section are the exclusive
7 48 remedy for violations of this chapter. However, the

CODE: Corrective provisions for HF 185 (Title Change for Ombudsman Office).

DETAIL: This Bill was enacted by the General Assembly on March 11, 2013, and signed by the Governor on March 28, 2013.

7 49 office of the ombudsman may review violations of this
7 50 chapter and make recommendations as provided in chapter
8 1 2C.

8 2 Sec. 25. Section 29.1, Code 2013, as amended by
8 3 2013 Iowa Acts, House File 307, section 9, is amended
8 4 to read as follows:

8 5 29.1 DEPARTMENT OF PUBLIC DEFENSE.

8 6 The department of public defense is composed of the
8 7 office of the adjutant general and the military forces
8 8 of the state of Iowa. The adjutant general is the
8 9 director of the department of public defense and shall
8 10 perform all functions, responsibilities, powers, and
8 11 duties ~~over~~ concerning the military forces of the state
8 12 of Iowa as provided in the laws of the state.

8 13 Sec. 26. Section 35A.13, subsection 6A, paragraph
8 14 b, subparagraph (1), if enacted by 2013 Iowa Acts,
8 15 House File 613, section 2, is amended to read as
8 16 follows:

8 17 (1) The commission may provide educational
8 18 assistance funds to any child who has lived in the
8 19 state of Iowa for two years preceding application for
8 20 state educational assistance, and who is the child
8 21 of a person who died prior to September 11, 2001,
8 22 during active federal military service while serving
8 23 in the armed forces or during active federal military
8 24 service in the Iowa national guard or other military
8 25 component of the United States, to defray the expenses
8 26 of tuition, matriculation, laboratory and similar
8 27 fees, books and supplies, board, lodging, and any
8 28 other reasonably necessary expense for the child or
8 29 children incident to attendance in this state at an
8 30 educational or training institution of college grade,
8 31 or in a business or vocational training school with
8 32 standards approved by the department. The commission
8 33 shall not expend more than six hundred dollars per year
8 34 for educational assistance for any one child under this
8 35 paragraph "b".

8 36 Sec. 27. Section 70A.28, subsection 6, Code 2013,
8 37 as amended by 2013 Iowa Acts, House File 185, section
8 38 28, is amended to read as follows:

8 39 6. Subsection 2 may also be enforced by an employee
8 40 through an administrative action pursuant to the
8 41 requirements of this subsection if the employee is not
8 42 a merit system employee or an employee covered by a
8 43 collective bargaining agreement. An employee eligible

CODE: Corrective provisions for HF 307 (Establishing the Department of Homeland Security and Emergency Management).

DETAIL: This Bill was enacted by the General Assembly on March 26, 2013, and signed by the Governor on April 5, 2013.

CODE: Corrective provisions for HF 613 (War Orphans Educational Assistance Fund).

DETAIL: This Bill was enacted by the General Assembly on April 22, 2013, and signed by the Governor on May 1, 2013.

CODE: Corrective provisions for HF 185 (Title Change for Ombudsman Office).

DETAIL: This Bill was enacted by the General Assembly on March 11, 2013, and signed by the Governor on March 28, 2013.

8 44 to pursue an administrative action pursuant to this
8 45 subsection who is discharged, suspended, demoted, or
8 46 otherwise receives a reduction in pay and who believes
8 47 the adverse employment action was taken as a result
8 48 of the employee's disclosure of information that
8 49 was authorized pursuant to subsection 2, may file an
8 50 appeal of the adverse employment action with the public
9 1 employment relations board within thirty calendar days
9 2 following the later of the effective date of the action
9 3 or the date a finding is issued to the employee by the
9 4 office of ~~the~~ ombudsman pursuant to section 2C.11A.
9 5 The findings issued by the ombudsman may be introduced
9 6 as evidence before the public employment relations
9 7 board. The employee has the right to a hearing closed
9 8 to the public, but may request a public hearing. The
9 9 hearing shall otherwise be conducted in accordance with
9 10 the rules of the public employment relations board and
9 11 the Iowa administrative procedure Act, chapter 17A. If
9 12 the public employment relations board finds that the
9 13 action taken in regard to the employee was in violation
9 14 of subsection 2, the employee may be reinstated without
9 15 loss of pay or benefits for the elapsed period, or
9 16 the public employment relations board may provide
9 17 other appropriate remedies. Decisions by the public
9 18 employment relations board constitute final agency
9 19 action.

9 20 Sec. 28. Section 105.10, subsection 3, Code 2013,
9 21 as amended by 2013 Iowa Acts, Senate File 427, section
9 22 10, is amended to read as follows:

9 23 3. An individual holding a master mechanical
9 24 license shall not be required to get an
9 25 HVAC-refrigeration, sheet metal, or hydronic license in
9 26 order to design, install, or repair the work defined
9 27 in this chapter as mechanical, HVAC-refrigeration,
9 28 sheet metal, or hydronic work. An individual holding
9 29 a ~~journey~~ journeyperson mechanical license shall
9 30 not be required to get an HVAC-refrigeration, sheet
9 31 metal, or hydronic license in order to install and
9 32 repair the work defined in this chapter as mechanical,
9 33 HVAC-refrigeration, sheet metal, or hydronic work. An
9 34 individual holding a master or ~~journey~~ journeyperson
9 35 mechanical license shall also not be required to obtain
9 36 a special, restricted license that is designated as a
9 37 sublicense of the mechanical, HVAC-refrigeration, sheet
9 38 metal, or hydronic licenses.

9 39 Sec. 29. Section 105.32, as enacted by 2013 Iowa

CODE: Corrective provisions for SF 427 (Plumbing and Mechanical Licensing Bill).

CODE: Corrective provisions for SF 427 (Plumbing and Mechanical

9 40 Acts, Senate File 427, section 32, Code 2013, is
 9 41 amended to read as follows:
 9 42 105.32 TRANSITION PROVISIONS.
 9 43 A licensee whose license expires between June 30,
 9 44 2014, and July 1, 2017, may voluntarily renew ~~their~~
 9 45 the license early so ~~they may have the~~ license has an
 9 46 expiration date of June 30, 2017. This voluntary early
 9 47 renewal may happen at any time on or after July 1,
 9 48 2014. The department shall promulgate rules that allow
 9 49 for this one-time early renewal process, including fees
 9 50 and continuing education requirements.

Licensing Bill).

10 1 Sec. 30. Section 126.11, subsection 3, paragraph
 10 2 b, Code 2013, as amended by 2013 Iowa Acts, House File
 10 3 417, section 26, is amended to read as follows:
 10 4 b. A drug dispensed by filling or refilling a
 10 5 written, electronic, facsimile, or oral prescription
 10 6 of a practitioner licensed by law to administer the
 10 7 drug is exempt from section 126.10, except section
 10 8 126.10, subsection 1, paragraph "a", section 126.10,
 10 9 subsection 1, paragraph "i", subparagraphs (2) and (3),
 10 10 and section 126.10, subsection 1, paragraphs "k" and
 10 11 "l", and the packaging requirements of section 126.10,
 10 12 subsection 1, paragraphs "g", "h", and "p", if the
 10 13 drug bears a label containing the name and address of
 10 14 the dispenser, the date of the prescription or of its
 10 15 filling, the name of the prescriber, and, if stated
 10 16 in the prescription, the name of the patient, and the
 10 17 directions for use and cautionary statements, if any,
 10 18 contained in the prescription. This exemption does
 10 19 not apply to a drug dispensed in the course of the
 10 20 conduct of the business of dispensing drugs pursuant to
 10 21 diagnosis by mail, or to a drug dispensed in violation
 10 22 of paragraph "a" of this subsection.

CODE: Corrective provisions for HF 417 (Nonsubstantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on March 12, 2013, and signed by the Governor on April 5, 2013.

10 23 Sec. 31. Section 249A.43, subsection 3, as enacted
 10 24 by 2013 Iowa Acts, Senate File 357, section 7, is
 10 25 amended to read as follows:
 10 26 3. An affidavit of service of a notice of entry
 10 27 of judgment shall be made by first class mail at the
 10 28 address where the debtor was served with the notice
 10 29 of overpayment. Service is completed upon mailing as
 10 30 specified in this ~~paragraph~~ subsection.

CODE: Corrective provisions for SF 357 (Medicaid Program Collections and Integrity Policy).

DETAIL: This Bill was enacted by the General Assembly on March 19, 2013, and signed by the Governor on April 8, 2013.

10 31 Sec. 32. Section 252D.17, subsection 1, paragraph
 10 32 m, as enacted by 2013 Iowa Acts, House File 417,
 10 33 section 55, Code 2013, is amended to read as follows:
 10 34 ~~m. 2.~~ 2. The department shall establish criteria and

CODE: Corrective provisions for HF 417 (Nonsubstantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on March 12,

10 35 a phased-in schedule to require, no later than June
 10 36 30, 2015, payors of income to electronically transmit
 10 37 the amounts withheld under an income withholding
 10 38 order. The department shall assist payors of income in
 10 39 complying with the required electronic transmission,
 10 40 and shall adopt rules setting forth procedures
 10 41 for use in electronic transmission of funds, and
 10 42 exemption from use of electronic transmission taking
 10 43 into consideration any undue hardship electronic
 10 44 transmission creates for payors of income.

2013, and signed by the Governor on April 5, 2013.

10 45 Sec. 33. Section 263B.3, Code 2013, as amended by
 10 46 2013 Iowa Acts, House File 417, section 63, is amended
 10 47 to read as follows:

CODE: Corrective provisions for HF 417 (Nonsubstantive Code Editor's Bill).

10 48 263B.3 AGREEMENTS WITH FEDERAL DEPARTMENTS.

DETAIL: This Bill was enacted by the General Assembly on March 12, 2013, and signed by the Governor on April 5, 2013.

10 49 The state archaeologist is authorized to enter into
 10 50 agreements and cooperative efforts with the federal
 11 1 highway administrator, the United States departments
 11 2 of commerce, interior, agriculture, and defense,
 11 3 and any other federal or state agencies concerned
 11 4 with archaeological salvage or the preservation of
 11 5 antiquities.

11 6 Sec. 34. Section 321.463, subsection 12A,
 11 7 paragraphs a and c, as enacted by 2013 Iowa Acts, House
 11 8 File 14, section 1, are amended to read as follows:

CODE: Corrective provisions for HF 14 (Weight Limitations for Vehicles with Retractable Axles).

11 9 a. A person operating a vehicle or combination of
 11 10 vehicles equipped with a retractable axle may raise the
 11 11 axle when necessary to negotiate a turn, provided that
 11 12 the retractable axle is lowered within one thousand
 11 13 feet following completion of the turn. This paragraph
 11 14 does not apply to a vehicle or combination of vehicles
 11 15 operated on an interstate highway, including a ramp to
 11 16 or from an interstate highway, or on a bridge.

DETAIL: This Bill was enacted by the General Assembly on March 27, 2013, and signed by the Governor on April 5, 2013.

11 17 c. This subsection does not prohibit the operation
 11 18 of a vehicle or combination of vehicles equipped with
 11 19 a retractable axle ~~from operating~~ with the retractable
 11 20 axle raised when the vehicle or combination of vehicles
 11 21 is in compliance with the weight limitations of this
 11 22 section with the retractable axle raised.

11 23 Sec. 35. Section 321E.9A, subsection 1, Code 2013,
 11 24 as amended by 2013 Iowa Acts, Senate File 355, section
 11 25 7, is amended to read as follows:

CODE: Corrective provisions for SF 355 (Vehicles of Excessive Size and Weight).

11 26 1. Vehicles with indivisible loads having an
 11 27 overall length not to exceed one hundred twenty feet,
 11 28 an overall width not to exceed sixteen feet, and a
 11 29 height not to exceed fifteen feet five inches may

11 30 be moved on highways specified by the ~~permitting~~
11 31 ~~permit-issuing~~ authority, provided the gross weight on
11 32 any one axle shall not exceed the maximum prescribed
11 33 in section 321.463 and the total gross weight is not
11 34 greater than one hundred fifty-six thousand pounds.

11 35 Sec. 36. Section 327F.39, subsection 6, paragraph
11 36 b, if enacted by 2013 Iowa Acts, Senate File 340,
11 37 section 4, is amended to read as follows:
11 38 b. A violation of subsection 4A or rules adopted
11 39 pursuant to subsection 4A by a railroad worker
11 40 transportation company or a railroad ~~corporation~~
11 41 company is punishable as a schedule "one" penalty under
11 42 section 327C.5.

CODE: Corrective provisions for SF 340 (Rail Crew Transport Drivers).

DETAIL: This Bill was enacted by the General Assembly on April 9, 2013, and signed by the Governor on April 24, 2013.

11 43 Sec. 37. Section 418.5, subsection 1, Code 2013, as
11 44 amended by 2013 Iowa Acts, House File 307, section 51,
11 45 is amended to read as follows:

11 46 1. The flood mitigation board is established
11 47 consisting of nine voting members and four ex officio,
11 48 nonvoting members, and is located for administrative
11 49 purposes within the ~~division~~ department. The director
11 50 of the department shall provide office space, staff
12 1 assistance, and necessary supplies and equipment for
12 2 the board. The director shall budget funds to pay the
12 3 necessary expenses of the board. In performing its
12 4 functions, the board is performing a public function
12 5 on behalf of the state and is a public instrumentality
12 6 of the state.

CODE: Corrective provisions for HF 307 (Establishing the Department of Homeland Security and Emergency Management).

DETAIL: This Bill was enacted by the General Assembly on March 26, 2013, and signed by the Governor on April 5, 2013.

12 7 Sec. 38. Section 426A.11, subsection 1, Code 2013,
12 8 as amended by 2013 Iowa Acts, House File 417, section
12 9 97, is amended to read as follows:

12 10 1. The property, not to exceed two thousand seven
12 11 hundred seventy-eight dollars in taxable value of any
12 12 veteran, as defined in section 35.1, of ~~the~~ World War
12 13 I.

CODE: Corrective provisions for HF 417 (Nonsubstantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on March 12, 2013, and signed by the Governor on April 5, 2013.

12 14 Sec. 39. Section 455B.275, subsection 3A,
12 15 paragraphs a and b, if enacted by 2013 Iowa Acts, House
12 16 File 541, section 1, are amended to read as follows:

12 17 a. The person reconstructing the dam is only
12 18 required to possess the flooding easements or ownership
12 19 which ~~were~~ was held prior to the reconstruction as long
12 20 as the former normal pool elevation is not exceeded and
12 21 the spillway capacity is increased by at least fifty
12 22 percent.

CODE: Corrective provisions for HF 541 (Dam Reconstruction Standards).

DETAIL: This Bill was enacted by the General Assembly on April 9, 2013, and signed by the Governor on April 24, 2013.

12 23 b. Flooding easements or ownership ~~are~~ is only

12 24 required to the top of the reconstructed spillway
12 25 elevation.

CODE: Corrective provisions for HF 469 (Business Corporations).

12 26 Sec. 40. Section 490.863, subsection 3, paragraph
12 27 a, as enacted by 2013 Iowa Acts, House File 469,

DETAIL: This Bill was enacted by the General Assembly on March 20, 2013, and signed by the Governor on April 5, 2013.

12 28 section 43, is amended to read as follows:

12 29 a. "Holder" means and "held by" refers to shares
12 30 held by both a record shareholder, as defined in
12 31 section 490.1301, subsection 7, and a beneficial
12 32 shareholder, as defined in section 490.1301, subsection
12 33 2.

12 34 Sec. 41. Section 490.1302, subsection 2, paragraph
12 35 d, Code 2013, as amended by 2013 Iowa Acts, House File
12 36 469, section 53, is amended to read as follows:

CODE: Corrective provisions for HF 469 (Business Corporations).

DETAIL: This Bill was enacted by the General Assembly on March 20, 2013, and signed by the Governor on April 5, 2013.

12 37 d. Paragraph "a"; shall not be applicable and
12 38 appraisal rights shall be available pursuant to
12 39 subsection 1 for the holders of any class or series
12 40 of shares where the corporate action is an interested
12 41 transaction.

12 42 Sec. 42. Section 522.6, subsection 2, if enacted by
12 43 2013 Iowa Acts, Senate File 189, section 6, is amended
12 44 to read as follows:

CODE: Corrective provisions for SF 189 (Risk Management Framework for Insurers and Insurance Groups).

DETAIL: This Bill was enacted by the General Assembly on April 8, 2013, and signed by the Governor on April 24, 2013.

12 45 2. If an insurer qualifies for exemption from the
12 46 requirements of this chapter pursuant to paragraph "a"
12 47 of subsection 1, but the insurance group of which the
12 48 insurer is a member does not qualify for exemption
12 49 pursuant to paragraph "b" of subsection 1, then the
12 50 own risk and solvency assessment summary report that
13 1 is required pursuant to section ~~524H.5~~ 522.5 shall
13 2 include information concerning every insurer in the
13 3 insurance group. This requirement may be satisfied by
13 4 the submission of more than one summary report for any
13 5 combination of insurers in the insurance group provided
13 6 that the combination of reports submitted includes
13 7 every insurer in the insurance group.

13 8 Sec. 43. Section 533.405, subsection 4A, paragraph
13 9 b, subparagraphs (1) and (2), as enacted by 2013 Iowa
13 10 Acts, Senate File 183, section 8, are amended to read
13 11 as follows:

CODE: Corrective provisions for SF 183 (Credit Union Division of the Department of Commerce).

DETAIL: This Bill was enacted by the General Assembly on March 12, 2013, and signed by the Governor on April 8, 2013.

13 12 (1) State credit unions with assets in excess of ~~\$5~~
13 13 five million dollars as of the month ending immediately
13 14 prior to the date of the conclusion of the vote by the
13 15 membership approving the dissolution shall publish
13 16 the notice once a week for two successive weeks in a
13 17 newspaper of general circulation in each county in

13 18 which the state credit union maintains an office or
 13 19 branch for the transaction of business.
 13 20 (2) State credit unions with assets of ~~\$5 five~~
 13 21 million ~~dollars~~ or less as of the month ending
 13 22 immediately prior to the date of the conclusion of
 13 23 the vote by the membership approving the dissolution
 13 24 shall publish the notice once in a newspaper of general
 13 25 circulation in each county in which the state credit
 13 26 union maintains an office or branch.

13 27 Sec. 44. Section 543C.2, subsection 1, paragraph j,
 13 28 if enacted by 2013 Iowa Acts, House File 556, section
 13 29 167, is amended to read as follows:

13 30 j. The subdivider, if a corporation, must register
 13 31 to do business in the state of Iowa as a foreign
 13 32 corporation with the secretary of state and furnish a
 13 33 copy of the certificate of authority to do business
 13 34 in the state of Iowa. If not a corporation, the
 13 35 subdivider must comply with the provisions of chapter
 13 36 547, by filing a proper trade name with the Polk
 13 37 county recorder. The provisions of this ~~subsection~~
 13 38 ~~paragraph~~ shall also apply to any person, partnership,
 13 39 firm, company, corporation, or association, other than
 13 40 the subdivider, which is engaged by or through the
 13 41 subdivider for the purpose of advertising or selling
 13 42 the land involved in the filing.

13 43 Sec. 45. Section 556.2, subsection 5, paragraph a,
 13 44 unnumbered paragraph 1, as enacted by 2013 Iowa Acts,
 13 45 House File 417, section 174, is amended to read as
 13 46 follows:

13 47 A banking organization or financial organization
 13 48 shall send to the owner of each account, to which none
 13 49 of the actions specified in subsection ~~2~~ 1, paragraphs
 13 50 "a" through "e" or subsection 2, paragraphs "a" through
 14 1 "e" have occurred during the preceding three calendar
 14 2 years, a notice by certified mail stating in substance
 14 3 the following:

14 4 Sec. 46. Section 716.7, subsection 1, as amended
 14 5 by 2013 Iowa Acts, House File 556, section 234, if
 14 6 enacted, is amended to read as follows:

14 7 1. For purposes of this section:
 14 8 a. "Property" shall include any land, dwelling,
 14 9 building, conveyance, vehicle, or other temporary or
 14 10 permanent structure whether publicly or privately
 14 11 owned.
 14 12 b. "Public utility" is a public utility as defined

CODE: Corrective provisions for HF 556 (Substantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on April 9, 2013, and has not yet been signed by the Governor.

CODE: Corrective provisions for HF 417 (Nonsubstantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on March 12, 2013, and signed by the Governor on April 5, 2013.

CODE: Corrective provisions for HF 556 (Substantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on April 9, 2013, and has not yet been signed by the Governor.

14 13 ~~in section 476.1 or an electric transmission line as~~
 14 14 ~~provided in chapter 478.~~

14 15 ~~—b. c.~~ “Public utility property” means any land,
 14 16 dwelling, building, conveyance, vehicle, or other
 14 17 temporary or permanent structure owned, leased, or
 14 18 operated by a public utility and that is completely
 14 19 enclosed by a physical barrier of any kind. ~~For~~
 14 20 ~~the purposes of this section, a “public utility” is~~
 14 21 ~~a public utility as defined in section 476.1 or an~~
 14 22 ~~electric transmission line as provided in chapter 478.~~

14 23 ~~—e. d.~~ “Railway corporation” means a corporation,
 14 24 company, or person owning, leasing, or operating any
 14 25 railroad in whole or in part within this state.

14 26 ~~—d. e.~~ “Railway property” means all tangible real
 14 27 and personal property owned, leased, or operated
 14 28 by a railway corporation with the exception of any
 14 29 administrative building or offices of the railway
 14 30 corporation.

14 31 Sec. 47. Section 724.2, subsection 1, paragraph i,
 14 32 if enacted by 2013 Iowa Acts, House File 556, section
 14 33 206, is amended to read as follows:

14 34 i. A nonresident who possesses an offensive weapon
 14 35 which is a curio or relic firearm under the federal
 14 36 Firearms Act, 18 U.S.C. ch.44, solely for use in
 14 37 official functions in this state of a historical
 14 38 reenactment organization of which the person is a
 14 39 member, if the offensive weapon is legally possessed
 14 40 by the person in the person’s state of residence and
 14 41 the offensive weapon is at all times while in this
 14 42 state rendered incapable of firing live ammunition. A
 14 43 nonresident who possesses an offensive weapon under
 14 44 this ~~subsection~~ paragraph while in this state shall
 14 45 not have in the person’s possession live ammunition.
 14 46 The offensive weapon may, however, be adapted for the
 14 47 firing of blank ammunition.

14 48 Sec. 48. 2013 Iowa Acts, House File 556, section
 14 49 257, subsection 3, if enacted, is amended by adding the
 14 50 following new subsection:

15 1 NEW SUBSECTION 12. The Code editor is directed
 15 2 to change any terminology that references a web site,
 15 3 websites, the internet, and internet site, or internet
 15 4 sites in any Act enacted during the 2013 regular
 15 5 session of the Eighty-fifth General Assembly in the
 15 6 same manner as that terminology is changed in this
 15 7 section of this Act.

CODE: Corrective provisions for HF 556 (Substantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on April 9, 2013, and has not yet been signed by the Governor.

CODE: Corrective provisions for HF 556 (Substantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on April 9, 2013, and has not yet been signed by the Governor.

15 8 Sec. 49. 2013 Iowa Acts, House File 607, section
15 9 29, subsection 3, if enacted, is amended to read as
15 10 follows:
15 11 3. The department of agriculture and land
15 12 stewardship or the office of attorney general acting
15 13 on behalf of the agricultural development authority in
15 14 an administrative or judicial proceeding shall not be
15 15 affected as a result of this Act. Any ~~statue~~ statute
15 16 of limitation shall apply to the parties as if this Act
15 17 had not been enacted.

CODE: Corrective provisions for HF 607 (Ag Development Authority Transfer Bill).

15 18 Sec. 50. 2013 Iowa Acts, House File 607, section
15 19 34, if enacted, is amended to read as follows:
15 20 SEC. 34. ADMINISTRATION OF ONGOING PROGRAMS. The
15 21 Iowa finance authority shall complete the
15 22 administration of ongoing programs of the agricultural
15 23 development authority as provided in chapter 175, to
15 24 the extent that the administration of those programs
15 25 are is in progress on the effective date of this
15 26 division of this Act. The Iowa finance authority shall
15 27 assume all rights and obligations of the agricultural
15 28 development authority to the extent that moneys have
15 29 been committed, obligations incurred, or rights accrued
15 30 prior to the effective date of this division of this
15 31 Act. Moneys owing due to the rights and obligations of
15 32 the agricultural development authority and assumed by
15 33 the Iowa finance authority shall be paid as directed by
15 34 the Iowa finance authority.

CODE: Corrective provisions for HF 607 (Ag Development Authority Transfer Bill).

15 35 Sec. 51. 2013 Iowa Acts, House File 607, section
15 36 35, subsection 1, if enacted, is amended to read as
15 37 follows:
15 38 1. The assets and liabilities of the former
15 39 Iowa rural rehabilitation corporation assumed by
15 40 the agricultural development authority pursuant to
15 41 section 175.28 shall be transferred to the Iowa finance
15 42 authority on the effective date of this division of
15 43 this Act. On such effective date, the Iowa finance
15 44 authority shall be the successor in interest to
15 45 the agreements in effect between the United States
15 46 government and the agricultural development authority
15 47 on behalf of this state.

CODE: Corrective provisions for HF 607 (Ag Development Authority Transfer Bill).

15 48 Sec. 52. 2013 Iowa Acts, Senate File 427, section
15 49 35, is amended to read as follows:
15 50 SEC. 35 ADMINISTRATIVE RULES. The department
16 1 of public health shall adopt all initial rules,
16 2 and amendments to existing rules, necessary for the

CODE: Corrective provisions for SF 427 (Plumbing and Mechanical Licensing Bill).

16 3 implementation of this Act.

16 4 Sec. 53. REPEAL. 2013 Iowa Acts, House File 417,
16 5 section 34, and 2013 Iowa Acts, House File 556, section
16 6 27, if enacted, are repealed.

Section 34 of HF 417 (Nonsubstantive Code Editor's Bill) and Section 27 of HF 556 (Substantive Code Editor's Bill), if enacted, are repealed.

16 7 Sec. 54. REPEAL. 2013 Iowa Acts, House File 469,
16 8 sections 83 and 84, are repealed.

Sections 83 and 84 of HF 469 (Business Corporations), are repealed.

16 9 Sec. 55. CONTINGENT REPEAL. If 2013 Iowa Acts,
16 10 House File 575, section 12, is enacted, 2013 Iowa Acts,
16 11 House File 417, section 93, is repealed.

Repeals Section 93 of HF 417 (Nonsubstantive Code Editor's Bill), if Section 12 of HF 575 (Department of Revenue Technical Bill) is enacted.

16 12 DIVISION IV
16 13 EMINENT DOMAIN

16 14 Sec. 56. NEW SECTION 6A.15 PROPERTY ON STATE
16 15 HISTORIC REGISTRY.

CODE: Makes changes to eminent domain procedures in the Department of Cultural Affairs and includes:

16 16 1. Property listed on the state register of
16 17 historic places maintained by the historical division
16 18 of the department of cultural affairs shall not be
16 19 removed from the register solely for the purpose of
16 20 allowing acquisition of the property by condemnation,
16 21 unless such condemnation is undertaken by the
16 22 department of transportation.
16 23 2. Property listed on the state register of
16 24 historic places maintained by the historical division
16 25 of the department of cultural affairs shall not be
16 26 condemned by the state or a political subdivision
16 27 unless a joint resolution authorizing commencement of
16 28 the condemnation proceedings is approved by a vote of
16 29 at least two-thirds of the members of both chambers
16 30 of the general assembly and signed by the governor.
16 31 The approval requirements of this subsection shall not
16 32 apply to condemnation undertaken by the department of
16 33 transportation.

- Prohibits condemnation of property listed on the State Register of Historic Places unless the condemnation is by the Department of Transportation.
- The State or a political subdivision cannot condemn land on the State Register of Historic Places unless authorized by a vote of two-thirds of each chamber in the General Assembly and the Governor's signature.

16 34 Sec. 57. Section 6A.19, Code 2013, is amended to
16 35 read as follows:

16 36 6A.19 INTERPRETATIVE CLAUSE.

16 37 A grant in this chapter of right to take private
16 38 property for a public use shall not be construed as
16 39 limiting a like grant elsewhere in the Code for another
16 40 and different use. Unless specifically provided by
16 41 law, this chapter shall not be construed to limit or
16 42 otherwise affect the application of chapters 478 and
16 43 479 to the eminent domain authority of the utilities
16 44 division of the department of commerce.

CODE: Specifies changes to eminent domain do not apply to the Utilities Division in the Department of Commerce for projects in Chapter 478 (Electric Transmission Lines) and for Chapter 479 (Pipelines and Underground Pipes) unless specified by law.

16 45 Sec. 58. Section 6A.22, subsection 2, paragraph
 16 46 c, subparagraph (1), Code 2013, is amended to read as
 16 47 follows:

16 48 (1) (a) If private property is to be condemned for
 16 49 development or creation of a lake, only that number
 16 50 of acres justified as reasonable and necessary for
 17 1 a surface drinking water source, and not otherwise
 17 2 acquired, may be condemned. In addition, the acquiring
 17 3 agency shall conduct a review of prudent and feasible
 17 4 alternatives to provision of a drinking water source
 17 5 prior to making a determination that such lake
 17 6 development or creation is reasonable and necessary.
 17 7 Development or creation of a lake as a surface drinking
 17 8 water source includes all of the following:

17 9 (i) Construction of the dam, including sites for
 17 10 suitable borrow material and the auxiliary spillway.
 17 11 (ii) The water supply pool.
 17 12 (iii) The sediment pool.
 17 13 (iv) The flood control pool.
 17 14 (v) The floodwater retarding pool.
 17 15 (vi) The surrounding area upstream of the dam
 17 16 no higher in elevation than the top of the dam's
 17 17 elevation.

17 18 (vii) The appropriate setback distance required
 17 19 by state or federal laws and regulations to protect
 17 20 drinking water supply.

17 21 (b) For purposes of this subparagraph (1), "number
 17 22 of acres justified as reasonable and necessary for
 17 23 a surface drinking water source" means according to
 17 24 guidelines of the United States natural resource
 17 25 conservation service and according to analyses of
 17 26 ~~surface~~ drinking water capacity needs conducted
 17 27 by one or more registered professional engineers.
 17 28 The registered professional engineers may, if
 17 29 appropriate, employ standards or guidelines other
 17 30 than the guidelines of the United States natural
 17 31 resource conservation service when determining the
 17 32 number of acres justified as reasonable and necessary
 17 33 for a surface drinking water source. The data and
 17 34 information used by the registered professional
 17 35 engineers shall include data and information relating
 17 36 to population and commercial enterprise activity for
 17 37 the area from the two most recent federal decennial
 17 38 censuses unless the district court of the county in
 17 39 which the property is situated has determined by a
 17 40 preponderance of the evidence that such data would
 17 41 not accurately predict the population and commercial

CODE: Specifies that private property condemned for a lake creation project can only be for a reasonable number of acres that will be used as a drinking water source. Prior to the condemnation, the acquiring agency will conduct a review to determine if there are other feasible alternatives to the condemnation. Specifies the types of drinking water projects. Further specifies the reasonable number of acres will be calculated by:

- Using guidelines from the federal Natural Resource Conservation Services.
- A registered engineer can use census data that includes population and commercial activity unless the District Court of the county where the property is located determines the data will not accurately predict the reasonable number of acres.

17 42 enterprise activity of the area in the future.
 17 43 _(c) A second review or analysis of the drinking
 17 44 water capacity needs shall be performed upon receipt
 17 45 by the acquiring agency of a petition signed by not
 17 46 less than twenty-five percent of the affected property
 17 47 owners. The registered professional engineer to
 17 48 perform the second review or analysis shall be selected
 17 49 by a committee appointed by the affected property
 17 50 owners and whose membership is comprised of at least
 18 1 fifty percent property owners affected by the proposed
 18 2 condemnation action. The acquiring agency shall be
 18 3 responsible for paying the fees and expenses of such
 18 4 an engineer.
 18 5 _(d) If private property is to be condemned for
 18 6 development or creation of a lake, the plans, analyses,
 18 7 applications, including any application for funding,
 18 8 and other planning activities of the acquiring agency
 18 9 shall not include or provide for the use of the lake
 18 10 for recreational purposes.

18 11 Sec. 59. Section 6B.54, subsection 10, paragraph
 18 12 a, Code 2013, is amended by adding the following new
 18 13 subparagraph:
 18 14 NEW SUBPARAGRAPH (3) Reasonable attorney fees and
 18 15 reasonable costs not to exceed one hundred thousand
 18 16 dollars, attributable to a determination that the
 18 17 creation of a lake through condemnation includes a
 18 18 future recreational use or that a violation of section
 18 19 6A.22, subsection 2, paragraph "c", subparagraph (1),
 18 20 subparagraph division (d), has occurred, if such fees
 18 21 and costs are not otherwise provided under section
 18 22 6B.33.

CODE: Specifies the landowner can be reimbursed for up to \$100,000 in attorney fees for a lake creation project that uses condemnation.

18 23 Sec. 60. NEW SECTION 6B.56B DISPOSITION OF
 18 24 CONDEMNED PROPERTY — TWO-YEAR TIME PERIOD.
 18 25 1. When two years have elapsed since property
 18 26 was condemned for the creation of a lake according
 18 27 to the requirements of section 6A.22, subsection 2,
 18 28 paragraph "c", subparagraph (1), and the property has
 18 29 not been used for or construction has not progressed
 18 30 substantially from the date the property was condemned
 18 31 for the purpose stated in the application filed
 18 32 pursuant to section 6B.3, and the acquiring agency has
 18 33 not taken action to dispose of the property pursuant
 18 34 to section 6B.56, the acquiring agency shall, within
 18 35 sixty days, adopt a resolution offering the property
 18 36 for sale to the prior owner at a price as provided in
 18 37 section 6B.56. If the resolution adopted approves an

CODE: States procedures for the return of land that has been condemned for a lake creation project when the property has not been used within a two-year time period.

18 38 offer of sale to the prior owner, the offer shall be
 18 39 made in writing and mailed by certified mail to the
 18 40 prior owner. The prior owner has one hundred eighty
 18 41 days after the offer is mailed to purchase the property
 18 42 from the acquiring agency.

18 43 2. If the acquiring agency has not adopted a
 18 44 resolution described in subsection 1 within the
 18 45 sixty-day time period, the prior owner may, in writing,
 18 46 petition the acquiring agency to offer the property
 18 47 for sale to the prior owner at a price as provided in
 18 48 section 6B.56. Within sixty days after receipt of
 18 49 such a petition, the acquiring agency shall adopt a
 18 50 resolution described in subsection 1. If the acquiring
 19 1 agency does not adopt such a resolution within sixty
 19 2 days after receipt of the petition, the acquiring
 19 3 agency is deemed to have offered the property for sale
 19 4 to the prior owner.

19 5 3. The acquiring agency shall give written notice
 19 6 to the owner of the right to purchase the property
 19 7 under this section at the time damages are paid to the
 19 8 owner.

19 9 Sec. 61. Section 403.7, subsection 1, unnumbered
 19 10 paragraph 1, Code 2013, is amended to read as follows:

19 11 A municipality shall have the right to acquire by
 19 12 condemnation any interest in real property, including a
 19 13 fee simple title thereto, which it may deem necessary
 19 14 for or in connection with an urban renewal project
 19 15 under this chapter, subject to the limitations on
 19 16 eminent domain authority in ~~chapter~~ chapters 6A and 6B.
 19 17 However, a municipality shall not condemn agricultural
 19 18 land included within an economic development area
 19 19 for any use unless the owner of the agricultural land
 19 20 consents to condemnation or unless the municipality
 19 21 determines that the land is necessary or useful for any
 19 22 of the following:

19 23 Sec. 62. NEW SECTION 423B.11 USE OF REVENUES —
 19 24 LIMITATION.

19 25 The revenue raised by a local sales and services
 19 26 tax imposed under this chapter by a county shall not
 19 27 be expended for any purpose related to a project that
 19 28 includes the condemnation of private property for
 19 29 the creation of a lake according to the requirements
 19 30 of section 6A.22, subsection 2, paragraph “c”,
 19 31 subparagraph (1), if the local sales and services tax
 19 32 has not been approved at election in the area where the
 19 33 property to be condemned is located.

CODE: Specifies a municipality must follow condemnation and eminent domain procedures for urban renewal projects.

CODE: Specifies a county cannot use money raised by a local sales tax for a lake creation project if not approved at election in the area where the property being condemned is located.

19 34 Sec. 63. Section 455A.5, Code 2013, is amended by
 19 35 adding the following new subsection:
 19 36 NEW SUBSECTION 7. The authority granted to the
 19 37 commission to acquire real property for purposes
 19 38 of carrying out a duty related to development or
 19 39 maintenance of the recreation resources of the state,
 19 40 including planning, acquisition, and development of
 19 41 recreational projects, and areas and facilities related
 19 42 to such projects, shall not include the authority to
 19 43 acquire real property by eminent domain.

CODE: Specifies the Natural Resource Commission in the Department of Natural Resources (DNR) cannot acquire land using eminent domain.

19 44 Sec. 64. Section 456A.24, subsection 2, unnumbered
 19 45 paragraph 1, Code 2013, is amended to read as follows:
 19 46 Acquire by purchase, ~~condemnation~~, lease, agreement,
 19 47 gift, and devise lands or waters suitable for the
 19 48 purposes hereinafter enumerated, and rights-of-way
 19 49 thereto, and to maintain the same for the following
 19 50 purposes, ~~to wit~~:

CODE: Specifies the DNR cannot use condemnation or eminent domain to acquire land. This includes land for public parks.

20 1 Sec. 65. Section 456A.24, Code 2013, is amended by
 20 2 adding the following new subsection:

20 3 NEW SUBSECTION 15. The authority granted the
 20 4 department to acquire real property for any statutory
 20 5 purpose relating to the development or maintenance
 20 6 of the recreation resources of the state, including
 20 7 planning, acquisition, and development of recreational
 20 8 projects, and areas and facilities related to such
 20 9 projects, shall not include the authority to acquire
 20 10 real property by eminent domain.

20 11 Sec. 66. Section 461A.7, Code 2013, is amended to
 20 12 read as follows:

20 13 ~~461A.7—EMINENT DOMAIN~~ PURCHASE OF LANDS — PUBLIC
 20 14 PARKS .

20 15 The commission may purchase ~~or condemn~~ lands from
 20 16 willing sellers for public parks. ~~No~~ A contract for
 20 17 the purchase of such public parks shall not be made to
 20 18 an amount in excess of funds appropriated therefor by
 20 19 the general assembly.

20 20 Sec. 67. Section 461A.10, Code 2013, is amended to
 20 21 read as follows:

20 22 461A.10 TITLE TO LANDS.

20 23 The title to all lands purchased, ~~condemned~~, or
 20 24 donated; hereunder, for park ~~or highway~~ purposes and
 20 25 the title to all lands purchased, condemned, or donated
 20 26 hereunder for highway purposes, shall be taken in the
 20 27 name of the state and if thereafter it shall be deemed
 20 28 advisable to sell any portion of the land so purchased
 20 29 or condemned, the proceeds of such sale shall be placed

20 30 to the credit of the said public state parks fund to be
 20 31 used for such park purposes.
 20 32 Sec. 68. Section 463C.8, subsection 1, paragraph k,
 20 33 Code 2013, is amended to read as follows:
 20 34 k. The power to acquire, own, hold, administer,
 20 35 and dispose of property, except that such power is not
 20 36 a grant of authority to acquire property by eminent
 20 37 domain.

20 38 Sec. 69. REPEAL. Sections 461A.9 and 461A.75, Code
 20 39 2013, are repealed.

20 40 Sec. 70. SEVERABILITY. If any provision of this
 20 41 Act is held invalid, the invalidity shall not affect
 20 42 other provisions or applications of this Act which can
 20 43 be given effect without the invalid provision, and to
 20 44 this end the provisions of this Act are severable as
 20 45 provided in section 4.12.

20 46 Sec. 71. EFFECTIVE UPON ENACTMENT. This division
 20 47 of this Act, being deemed of immediate importance,
 20 48 takes effect upon enactment.

20 49 Sec. 72. APPLICABILITY. Except as otherwise
 20 50 provided in this division of this Act, this division
 21 1 of this Act applies to projects or condemnation
 21 2 proceedings pending or commenced on or after the
 21 3 effective date of this Act.

21 4 Sec. 73. RETROACTIVE APPLICABILITY.
 21 5 Notwithstanding any provision of law to the contrary,
 21 6 the following provision or provisions of this division
 21 7 of this Act apply retroactively to projects or
 21 8 condemnation proceedings pending or commenced on or
 21 9 after February 15, 2013:

- 21 10 1. The section amending section 6A.22.
- 21 11 2. The section enacting section 6B.56B.

21 12 DIVISION V
 21 13 APPORTIONMENT OF TRANSPORTATION FUNDS — APPROPRIATION

21 14 Sec. 74. Section 312.3, subsection 2, Code 2013, is
 21 15 amended by adding the following new paragraph:

21 16 NEW PARAGRAPH d. For purposes of apportioning
 21 17 among the cities of the state the percentage of
 21 18 the road use tax fund to be credited to the street
 21 19 construction fund of the cities for each month
 21 20 beginning April 2011 and ending March 2021 pursuant to
 21 21 this subsection, the population of each city shall be
 21 22 determined by the greater of the population of the city
 21 23 as of the last preceding certified federal census or

CODE: Repeals Iowa Code sections related to using condemnation for public lands and for water recreational projects.

CODE: Specifies that this Division is effective on enactment and applies to projects that are pending or commenced on enactment date. Further specifies projects that are retroactive.

CODE: Incorporates changes made to base population estimates determined by the U.S. Census Bureau for the period beginning April 2011 and ending March 2021, for the purpose of distributing Street Construction Funds to cities.

FISCAL IMPACT: The Street Construction Fund receives an annual allocation from the Road Use Tax Fund for distribution to cities on a per capita basis. This provision will not significantly change the distribution of funds between cities. The base population estimates were changed by 597 persons since the last census.

21 24 as of the April 1, 2010, population estimates base as
21 25 determined by the United States census bureau.

21 26 Sec. 75. STREET CONSTRUCTION FUND — APPROPRIATION.

21 27 1. In a written application to the treasurer of
21 28 state submitted by October 1, 2013, a city may request
21 29 an additional distribution of moneys to be credited
21 30 to the street construction fund of the city equal to
21 31 that additional amount, calculated by the treasurer,
21 32 that the city would have received if the funds were
21 33 apportioned based upon the population of the city as
21 34 determined by section 312.3, subsection 2, paragraph
21 35 "d", as enacted in this division of this Act, for the
21 36 months prior to the effective date of this division of
21 37 this Act.

21 38 2. Upon determination by the treasurer of state
21 39 that an additional amount should be credited to a city
21 40 as provided by this section, there is appropriated from
21 41 the general fund of the state to the department of
21 42 transportation, for the fiscal year beginning July 1,
21 43 2013, and ending June 30, 2014, an amount sufficient to
21 44 pay the additional amount which shall be distributed to
21 45 the city for deposit in the street construction fund
21 46 of the city.

21 47 Sec. 76. EFFECTIVE UPON ENACTMENT. This division
21 48 of this Act, being deemed of immediate importance,
21 49 takes effect upon enactment.

21 50 Sec. 77. RETROACTIVE APPLICABILITY. This division
22 1 of this Act applies retroactively to April 2011.

22 2 DIVISION VI
22 3 INSURANCE PRODUCERS

22 4 Sec. 78. Section 522B.1, Code 2013, is amended by
22 5 adding the following new subsections:
22 6 NEW SUBSECTION 7A. "Intended beneficiary" means
22 7 a person who is not listed as a beneficiary of an
22 8 insurance policy or contract in the records of the
22 9 insurer.

22 10 NEW SUBSECTION 12A. "Policy owner" means the
22 11 person who is identified as the legal owner of an
22 12 insurance policy or contract under the terms of the
22 13 insurance policy or contract, or who is otherwise
22 14 vested with legal title to the insurance policy or
22 15 contract through a valid assignment completed in
22 16 accordance with the terms of the insurance policy or
22 17 contract and is properly recorded as the legal owner of

Allows a city submit a request to the Treasurer of State by October 1, 2013, for an additional distribution from the Street Construction Fund for revisions made and certified by the U.S. Census Bureau to a city's population base since the last decennial census. Provides a one-time appropriation, estimated at \$135,000, to the Street Construction Fund for payment to certain cities where corrections were made to the census count by the U.S. Census Bureau, retroactive to April 2011.

DETAIL: This will primarily affect Rockwell City whose population base was adjusted by 507 persons by the U.S. Census Bureau.

This Division is effective on enactment and applies retroactively to April 2011.

CODE: Clarifies duties and responsibilities of insurance producers and nullifies the holdings of two recent cases decided by the Iowa Supreme Court to the extent that higher and greater responsibilities were imposed on insurance producers.

Defines "intended beneficiary" as a person not listed as a beneficiary in the insurer's records. Defines "policy owner" as the legal owner of the insurance policy or contract, or is otherwise vested with legal title to the policy, and properly recorded as legal owner.

Limits the duties and responsibilities of an insurance producer to reasonable care, diligence, and judgment in procuring the insurance requested by the policy owner. There is no duty to change the beneficiary of an insurance policy or contract unless clear written

22 18 the policy or contract in the records of the insurer.
 22 19 "Policy owner" does not include a person who has a mere
 22 20 beneficial interest in an insurance policy or contract.
 22 21 Sec. 79. Section 522B.11, subsection 7, Code 2013,
 22 22 is amended by striking the subsection and inserting in
 22 23 lieu thereof the following:
 22 24 7. a. Unless otherwise specified in this chapter,
 22 25 the duties and responsibilities of an insurance
 22 26 producer are limited to using reasonable care,
 22 27 diligence, and judgment in procuring the insurance
 22 28 requested of the insurance producer by the policy
 22 29 owner.
 22 30 b. An insurance producer has no duty to change the
 22 31 beneficiary of an insurance policy or contract unless
 22 32 clear written evidence of the policy owner's intent
 22 33 to name an intended beneficiary as a beneficiary of
 22 34 the policy or contract is presented to the insurance
 22 35 producer or insurer in the manner required by the
 22 36 policy or contract, prior to the payment of any
 22 37 insurance benefits under the policy or contract. Such
 22 38 evidence shall be provided in the same manner as a
 22 39 claim for benefits under the policy or contract.
 22 40 c. An insurance producer is not in the business
 22 41 of supplying information to others and has no duty
 22 42 to provide advice or information unless the insurance
 22 43 producer holds oneself out as an insurance specialist,
 22 44 consultant, or counselor and receives compensation for
 22 45 consultation and advice apart from commissions paid by
 22 46 an insurer.
 22 47 d. An insurance producer may agree to accept
 22 48 additional duties and responsibilities not specified in
 22 49 this chapter. Any agreement by an insurance producer
 22 50 to accept such additional duties and responsibilities
 23 1 shall be in writing and signed by the insurance
 23 2 producer and the policy owner.
 23 3 e. The general assembly declares that the holdings
 23 4 of *Langwith v. Am. Nat'l Gen. Ins. Co.*, 793 N.W.2d
 23 5 215 (Iowa 2010) and *Pitts v. Farm Bureau Life Ins.*
 23 6 *Co.*, 818 N.W.2d 91 (Iowa 2012) are abrogated to the
 23 7 extent that they impose higher or greater duties and
 23 8 responsibilities on insurance producers than those set
 23 9 forth in this subsection.

evidence of that intent is presented to the insurance producer as provided for in the policy or contract. Provides that an insurance producer is not in the business of providing advice and information to others unless the producer holds oneself out as an insurance specialist, consultant, or counselor and receives compensation as a result. An insurance producer may agree to accept additional duties and responsibilities through a written agreement.

DETAIL: This language was contained in HF 398 (Insurance Policies and Intended Beneficiaries Bill).

FISCAL IMPACT: The Code changes do not have a significant fiscal impact on the State.

23 10 DIVISION VII
 23 11 PROTEST AND APPEAL OF PROPERTY ASSESSMENTS

Eliminates the July 1, 2013, sunset of the Property Assessment Appeal Board (PAAB) and makes other changes.

DETAIL: This language was contained in HF 621 (Property Assessment Appeal Board Revisions).

FISCAL IMPACT: Since the sunset is eliminated, the costs for the Board to continue to operate are estimated at \$874,000 in FY 2014 and \$882,000 in FY 2015.

CODE: Eliminates the end date for the PAAB members being paid at the same level as district judges.

23 12 Sec. 80. Section 421.1A, subsection 6, Code 2013,
23 13 is amended to read as follows:
23 14 6. The members of the property assessment appeal
23 15 board shall receive compensation from the state
23 16 commensurate with the salary of a district judge
23 17 ~~through December 31, 2013.~~ The members of the board
23 18 shall be considered state employees for purposes of
23 19 salary and benefits. The members of the board and
23 20 any employees of the board, when required to travel
23 21 in the discharge of official duties, shall be paid
23 22 their actual and necessary expenses incurred in the
23 23 performance of duties.

CODE: Repeals the PAAB Review Committee. The Committee was required to review the PAAB activities since its inception and make recommendations to the General Assembly by January 15, 2013.

23 24 Sec. 81. Section 421.1A, subsection 7, Code 2013,
23 25 is amended by striking the subsection.

CODE: Technical change.

23 26 Sec. 82. Section 441.21, subsection 3, Code 2013,
23 27 is amended to read as follows:
23 28 3. a. "Actual value", "taxable value", or "assessed
23 29 value" as used in other sections of the Code in
23 30 relation to assessment of property for taxation shall
23 31 mean the valuations as determined by this section;
23 32 however, other provisions of the Code providing special
23 33 methods or formulas for assessing or valuing specified
23 34 property shall remain in effect, but this section
23 35 shall be applicable to the extent consistent with such
23 36 provisions. The assessor and department of revenue
23 37 shall disclose at the written request of the taxpayer
23 38 all information in any formula or method used to
23 39 determine the actual value of the taxpayer's property.
23 40 b. The burden of proof shall be upon any
23 41 complainant attacking such valuation as excessive,
23 42 inadequate, inequitable, or capricious; however, in
23 43 protest or appeal proceedings when the complainant
23 44 offers competent evidence by at least two disinterested
23 45 witnesses that the market value of the property is less
23 46 than the market value determined by the assessor, the
23 47 burden of proof thereafter shall be upon the officials
23 48 or persons seeking to uphold such valuation to be
23 49 assessed.

23 50 Sec. 83. Section 441.35, subsection 2, Code 2013,
 24 1 is amended to read as follows:
 24 2 2. In any year after the year in which an
 24 3 assessment has been made of all of the real estate
 24 4 in any taxing district, the board of review shall
 24 5 meet as provided in section 441.33, and where the
 24 6 board finds the same has changed in value, the board
 24 7 shall revalue and reassess any part or all of the
 24 8 real estate contained in such taxing district, and
 24 9 in such case, the board shall determine the actual
 24 10 value as of January 1 of the year of the revaluation
 24 11 and reassessment and compute the taxable value
 24 12 thereof. ~~Any aggrieved taxpayer may petition for~~
 24 13 ~~a revaluation of the taxpayer's property, but no~~
 24 14 ~~reduction or increase shall be made for prior years.~~
 24 15 If the assessment of any such property is raised, or
 24 16 any property is added to the tax list by the board,
 24 17 the clerk shall give notice in the manner provided in
 24 18 section 441.36. However, if the assessment of all
 24 19 property in any taxing district is raised, the board
 24 20 may instruct the clerk to give immediate notice by one
 24 21 publication in one of the official newspapers located
 24 22 in the taxing district, and such published notice
 24 23 shall take the place of the mailed notice provided for
 24 24 in section 441.36, but all other provisions of that
 24 25 section shall apply. The decision of the board as to
 24 26 the foregoing matters shall be subject to appeal to the
 24 27 property assessment appeal board within the same time
 24 28 and in the same manner as provided in section 441.37A
 24 29 and to the district court within the same time and in
 24 30 the same manner as provided in section 441.38.

CODE: Strikes the prohibition for adjusting for prior years when a revaluation of taxpayer property occurs.

24 31 Sec. 84. Section 441.37, subsection 1, paragraphs a
 24 32 and b, Code 2013, are amended to read as follows:
 24 33 a. Any property owner or aggrieved taxpayer who is
 24 34 dissatisfied with the owner's or taxpayer's assessment
 24 35 may file a protest against such assessment with the
 24 36 board of review on or after April 16, to and including
 24 37 May 5, of the year of the assessment. In any county
 24 38 which has been declared to be a disaster area by proper
 24 39 federal authorities after March 1 and prior to May 20
 24 40 of said year of assessment, the board of review shall
 24 41 be authorized to remain in session until June 15 and
 24 42 the time for filing a protest shall be extended to and
 24 43 include the period from May 25 to June 5 of such year.
 24 44 ~~Said~~ The protest shall be in writing and signed by the
 24 45 one protesting or by the protester's duly authorized
 24 46 agent. The taxpayer may have an oral hearing ~~thereon~~

CODE: Adds to the grounds for appealing a property assessment that the property decreased in value from the previous assessment year during an even numbered year when the property had not been assessed.

Clarifies that the burden of proof that a valuation is incorrect is the responsibility of the complainant. If the complainant offers competent evidence by two disinterested witnesses that the market value is less than the assessment, then the burden of proof is on the officials seeking to uphold the assessment.

Makes a number of technical changes.

24 47 ~~on the protest~~ if request ~~therefor~~ for the oral hearing
24 48 ~~is made~~ in writing ~~is made~~ at the time of filing the
24 49 protest. ~~Said~~ The protest must be confined to one or
24 50 more of the following grounds:

25 1 (1) For odd-numbered assessment years and for
25 2 even-numbered assessment years for property that was
25 3 reassessed in such even-numbered assessment year:

25 4 (a) That said assessment is not equitable as
25 5 compared with assessments of other like property in
25 6 the ~~taxing district~~ assessing jurisdiction. When this
25 7 ground is relied upon ~~as the basis of a protest the~~
25 8 ~~legal description and assessments of a representative~~
25 9 ~~number of comparable properties, as described by the~~
25 10 ~~aggrieved taxpayer shall be listed on the protest,~~
25 11 ~~otherwise said protest shall not be considered on this~~
25 12 ~~ground~~ consideration shall be given to whether the
25 13 other like property in the assessing jurisdiction was
25 14 appraised using a different appraisal methodology than
25 15 the methodology used to appraise the property that is
25 16 the subject of the protest.

25 17 ~~(2) (b)~~ (b) That the property is assessed for more
25 18 than the value authorized by law, ~~stating~~ When
25 19 this ground is relied upon, the specific amount which
25 20 the protesting party believes the property to be
25 21 overassessed, and the amount which the party considers
25 22 to be its actual value and ~~the amount the party~~
25 23 ~~considers a fair assessment~~ shall be stated.

25 24 ~~(3) (c)~~ (c) That the property is not assessable, is
25 25 exempt from taxes, or is misclassified and stating the
25 26 reasons for the protest.

25 27 ~~(4) (d)~~ (d) That there is an error in the assessment
25 28 and state the specific alleged error. When this ground
25 29 is relied upon, it may include but is not limited to
25 30 listing errors, clerical or mathematical errors, or
25 31 other errors that result in an error in the assessment.

25 32 ~~(5) (e)~~ (e) That there is fraud in the assessment
25 33 which shall be specifically stated.

25 34 (2) For even-numbered assessment years, when the
25 35 property has not been reassessed in such even-numbered
25 36 assessment year, that there has been a decrease in the
25 37 value of the property from the previous reassessment
25 38 year. When this ground is relied upon, the decrease in
25 39 value shall be shown by comparing the market value of
25 40 the property as of January 1 of the current assessment
25 41 year and the actual value of the property for the
25 42 previous reassessment year. Such protest shall be
25 43 in the same manner as described in this section and
25 44 shall be reviewed by the local board of review pursuant

25 45 to section 441.35, subsection 2, but no reduction or
 25 46 increase shall be made for prior years.
 25 47 ~~b.—In addition to the above, the property owner~~
 25 48 ~~may protest annually to the board of review under~~
 25 49 ~~the provisions of section 441.35, but such protest~~
 25 50 ~~shall be in the same manner and upon the same terms as~~
 26 1 ~~heretofore prescribed in this section. The burden of~~
 26 2 ~~proof for all protests filed under this section shall~~
 26 3 ~~be as stated in section 441.21, subsection 3, paragraph~~
 26 4 ~~“b”.~~

26 5 Sec. 85. Section 441.37A, subsection 1, paragraph
 26 6 b, Code 2013, is amended to read as follows:
 26 7 b. For an appeal to the property assessment appeal
 26 8 board to be valid, written notice must be filed by
 26 9 the party appealing the decision with the secretary
 26 10 of the property assessment appeal board within twenty
 26 11 days after ~~the date the board of review’s letter of~~
 26 12 ~~disposition of the appeal is postmarked to the party~~
 26 13 ~~making the protest adjournment of the local board of~~
 26 14 ~~review or May 31, whichever is later.~~ The written
 26 15 notice of appeal shall include a petition setting forth
 26 16 the basis of the appeal and the relief sought. No new
 26 17 grounds in addition to those set out in the protest
 26 18 to the local board of review as provided in section
 26 19 441.37 can be pleaded, but additional evidence to
 26 20 sustain those grounds may be introduced. The assessor
 26 21 shall have the same right to appeal to the assessment
 26 22 appeal board as an individual taxpayer, public body, or
 26 23 other public officer as provided in section 441.42. An
 26 24 appeal to the board is a contested case under chapter
 26 25 17A.

CODE: Changes the deadline for filing an appeal to 20 days after the adjournment of the local Board of Review or May 31, whichever is later.

26 26 Sec. 86. Section 441.37A, subsection 2, paragraph
 26 27 a, Code 2013, is amended to read as follows:
 26 28 a. A party to the appeal may request a hearing or
 26 29 the appeal may proceed without a hearing. If a hearing
 26 30 is requested, the appellant and the local board of
 26 31 review from which the appeal is taken shall be given
 26 32 at least thirty days’ written notice by the property
 26 33 assessment appeal board of the date the appeal shall be
 26 34 heard and the local board of review may be present and
 26 35 participate at such hearing. Notice to all affected
 26 36 taxing districts shall be deemed to have been given
 26 37 when written notice is provided to the local board of
 26 38 review. The requirement of thirty days’ written notice
 26 39 may be waived by mutual agreement of all parties to
 26 40 the appeal. Failure by the appellant to appear at

CODE: Permits the 30-day written notice of an appeal before the PAAB may be waived by mutual agreement of all involved parties. Adds that the PAAB may grant a continuance when the appellant fails to appear for the hearing if good cause for the failure can be shown.

26 41 the property assessment appeal board hearing shall be
 26 42 ~~grounds for result in~~ dismissal of the appeal unless a
 26 43 continuance is granted to the appellant by the board
 26 44 following a showing of good cause for the appellant's
 26 45 failure to appear. If an appeal is dismissed for
 26 46 failure to appear, the property assessment appeal board
 26 47 shall have no jurisdiction to consider any subsequent
 26 48 appeal on the appellant's protest.

26 49 Sec. 87. Section 441.37A, subsection 3, paragraph
 26 50 a, Code 2013, is amended to read as follows:
 27 1 a. The board member considering the appeal shall
 27 2 determine anew all questions arising before the local
 27 3 board of review which relate to the liability of
 27 4 the property to assessment or the amount thereof.
 27 5 All of the evidence shall be considered and there
 27 6 shall be no presumption as to the correctness of the
 27 7 valuation of assessment appealed from. The burden
 27 8 of proof for all appeals before the board shall be
 27 9 as stated in section 441.21, subsection 3, paragraph
 27 10 "b". The property assessment appeal board shall make a
 27 11 decision in each appeal filed with the board. If the
 27 12 appeal is considered by less than a majority of the
 27 13 board, the determination made by that member shall be
 27 14 forwarded to the full board for approval, rejection, or
 27 15 modification. If the initial determination is rejected
 27 16 by the board, it shall be returned for reconsideration
 27 17 to the board member making the initial determination.
 27 18 Any deliberation of the board regarding an initial
 27 19 determination shall be confidential.

27 20 Sec. 88. REPEAL. 2005 Iowa Acts, chapter 150,
 27 21 section 134, is repealed.

27 22 Sec. 89. EFFECTIVE UPON ENACTMENT. This division
 27 23 of this Act, being deemed of immediate importance,
 27 24 takes effect upon enactment.

27 25 Sec. 90. APPLICABILITY. The following provisions
 27 26 of this division of this Act apply to assessment years
 27 27 beginning on or after January 1, 2014:
 27 28 1. The section amending section 441.37.
 27 29 2. The section amending section 441.35.

27 30 DIVISION VIII
 27 31 GENERAL AND SPECIAL EDUCATION

27 32 Sec. 91. GENERAL AND SPECIAL EDUCATION COSTS —

CODE: Clarifies that the same burden of proof applies to appeals before the PAAB.

CODE: Repeals the July 1, 2013, sunset of the PAAB.

The provisions of this Division applying to the PAAB are effective on enactment.

The sections dealing with grounds for appeal of assessments and with striking the prohibition for adjusting for prior years when a revaluation of taxpayer property occurs are applicable to assessment years beginning on or after January 1, 2014.

Requests the Legislative Council to create an interim study committee

27 33 LEGISLATIVE STUDY.

27 34 1. For purposes of this section, "private agency"
27 35 means a residential facility licensed under chapter
27 36 135H or 237. "Private agency" does not include an
27 37 institution listed in section 218.1.

27 38 2. The legislative council is requested to
27 39 establish an interim study committee during the 2013
27 40 interim to examine the payment of general education
27 41 and special education costs associated with student
27 42 services provided by private agencies and whether
27 43 the planning for and costs of such services would be
27 44 more appropriately administered by the department of
27 45 education or the department of human services. The
27 46 study committee shall consist of legislator members of
27 47 both political parties from both houses of the general
27 48 assembly and representatives of the office of the
27 49 governor, the department of education, the department
27 50 of human services, and private agencies.

28 1 DIVISION IX
28 2 ALL-TERRAIN VEHICLES

28 3 Sec. 92. Section 321.1, subsection 32, Code 2013,
28 4 is amended to read as follows:

28 5 32. "Implement of husbandry" means a vehicle or
28 6 special mobile equipment manufactured, designed, or
28 7 reconstructed for agricultural purposes and, except
28 8 for incidental uses, exclusively used in the conduct
28 9 of agricultural operations. "Implements of husbandry"
28 10 includes all-terrain vehicles operated in compliance
28 11 with section 321.234A, subsection 1, paragraph "a", but
28 12 not registered for operation upon a highway pursuant
28 13 to section 321.118, fence-line feeders, and vehicles
28 14 used exclusively for the application of organic or
28 15 inorganic plant food materials, organic agricultural
28 16 limestone, or agricultural chemicals. To be considered
28 17 an implement of husbandry, a self-propelled implement
28 18 of husbandry must be operated at speeds of thirty-five
28 19 miles per hour or less.

28 20 a. "Reconstructed" as used in this subsection means
28 21 materially altered from the original construction by
28 22 the removal, addition, or substitution of essential
28 23 parts, new or used.

28 24 b. A vehicle covered under this subsection, if
28 25 it otherwise qualifies, may be operated as special
28 26 mobile equipment and under such circumstances this
28 27 subsection shall not be applicable to such vehicle,
28 28 and such vehicle shall not be required to comply with

during the 2013 interim to review the payment of general education
and special education costs associated with student services provided
by private agencies.

CODE: This Division amends Iowa Code chapters 321 and 321I to
provide for the registration of all-terrain vehicles (ATVs) authorized for
operation on secondary roads or city streets where authorized by local
ordinance. Operators must be age 16 or older and possess a valid
driver's license. Establishes an annual registration fee of \$50 for ATVs
operated on secondary roads or city streets. The registration fees are
in addition to the requirements of Iowa Code chapter 321I. All ATVs
utilized exclusively as a farm implement are exempt from registration
fee.

28 29 sections 321.384 through 321.423, when such vehicle is
28 30 moved during daylight hours; however, the provisions
28 31 of section 321.383 shall remain applicable to such
28 32 vehicle.

28 33 Sec. 93. Section 321.1, subsection 47A, Code 2013,
28 34 is amended to read as follows:

28 35 47A. "Off-road utility vehicle" means a motorized
28 36 flotation-tire vehicle with not less than four and not
28 37 more than eight low-pressure tires that is limited in
28 38 engine displacement to less than one thousand five
28 39 hundred cubic centimeters and in total dry weight
28 40 to not more than ~~one two thousand eight hundred~~
28 41 pounds and that has a seat that is of bucket or bench
28 42 design, not intended to be straddled by the operator,
28 43 and a steering wheel or control levers for control.
28 44 "Off-road utility vehicle" does not include dune
28 45 buggies, golf carts, go-carts, or minitrucks.

28 46 Sec. 94. Section 321.105A, subsection 2, paragraph
28 47 c, Code 2013, is amended by adding the following new
28 48 subparagraph:

28 49 NEW SUBPARAGRAPH (31) An all-terrain vehicle
28 50 which is exempt from the sales tax pursuant to section
29 1 423.3, subsection 8, or for which the applicant has
29 2 paid the sales tax in this state or has paid to another
29 3 state a state sales, use, or occupational tax.

29 4 Sec. 95. Section 321.109, subsection 1, paragraph
29 5 a, Code 2013, is amended to read as follows:

29 6 a. The annual fee for all motor vehicles including
29 7 vehicles designated by manufacturers as station wagons,
29 8 1993 and subsequent model year multipurpose vehicles,
29 9 and 2010 and subsequent model year motor trucks with
29 10 an unladen weight of ten thousand pounds or less,
29 11 except motor trucks registered under section 321.122,
29 12 business-trade trucks, special trucks, motor homes,
29 13 ambulances, hearses, all-terrain vehicles, motorcycles,
29 14 motorized bicycles, and 1992 and older model year
29 15 multipurpose vehicles, shall be equal to one percent
29 16 of the value as fixed by the department plus forty
29 17 cents for each one hundred pounds or fraction thereof
29 18 of weight of vehicle, as fixed by the department. The
29 19 weight of a motor vehicle, fixed by the department
29 20 for registration purposes, shall include the weight
29 21 of a battery, heater, bumpers, spare tire, and wheel.
29 22 Provided, however, that for any new vehicle purchased
29 23 in this state by a nonresident for removal to the
29 24 nonresident's state of residence the purchaser may make
29 25 application to the county treasurer in the county of
29 26 purchase for a transit plate for which a fee of ten

29 27 dollars shall be paid. And provided, however, that for
29 28 any used vehicle held by a registered dealer and not
29 29 currently registered in this state, or for any vehicle
29 30 held by an individual and currently registered in this
29 31 state, when purchased in this state by a nonresident
29 32 for removal to the nonresident's state of residence,
29 33 the purchaser may make application to the county
29 34 treasurer in the county of purchase for a transit
29 35 plate for which a fee of three dollars shall be paid.
29 36 The county treasurer shall issue a nontransferable
29 37 certificate of registration for which no refund shall
29 38 be allowed; and the transit plates shall be void thirty
29 39 days after issuance. Such purchaser may apply for a
29 40 certificate of title by surrendering the manufacturer's
29 41 or importer's certificate or certificate of title,
29 42 duly assigned as provided in this chapter. In this
29 43 event, the treasurer in the county of purchase shall,
29 44 when satisfied with the genuineness and regularity of
29 45 the application, and upon payment of a fee of twenty
29 46 dollars, issue a certificate of title in the name and
29 47 address of the nonresident purchaser delivering the
29 48 title to the owner. If there is a security interest
29 49 noted on the title, the county treasurer shall mail to
29 50 the secured party an acknowledgment of the notation
30 1 of the security interest. The county treasurer shall
30 2 not release a security interest that has been noted on
30 3 a title issued to a nonresident purchaser as provided
30 4 in this paragraph. The application requirements of
30 5 section 321.20 apply to a title issued as provided
30 6 in this subsection, except that a natural person
30 7 who applies for a certificate of title shall provide
30 8 either the person's social security number, passport
30 9 number, or driver's license number, whether the license
30 10 was issued by this state, another state, or another
30 11 country. The provisions of this subsection relating to
30 12 multipurpose vehicles are effective for all 1993 and
30 13 subsequent model years. The annual registration fee
30 14 for multipurpose vehicles that are 1992 model years and
30 15 older shall be in accordance with section 321.124.
30 16 Sec. 96.NEW SECTION 321.118 ALL-TERRAIN
30 17 VEHICLES.
30 18 1. An all-terrain vehicle designed to travel
30 19 on four or more wheels may be registered under this
30 20 chapter for operation on secondary roads and on
30 21 city streets where authorized, as provided in this
30 22 chapter, for an annual fee of fifty dollars. However,
30 23 all-terrain vehicles registered under this section
30 24 are not subject to the titling provisions of this

30 25 chapter or to the manufacturer's label requirement
30 26 under section 321.30, subsection 2, paragraph "a".
30 27 Registration under this section is in addition to
30 28 the titling and registration requirements of chapter
30 29 3211. An applicant for registration of an all-terrain
30 30 vehicle under this section shall submit, along with the
30 31 application, a copy of the registration certificate
30 32 issued for the vehicle pursuant to section 3211.4
30 33 containing a description of the vehicle and identifying
30 34 the applicant as the owner of the vehicle.

30 35 2. This section shall not be construed to include
30 36 all-terrain vehicles within the meaning of the term
30 37 "motor vehicle subject to registration" or "vehicle
30 38 subject to registration" as that term applies to the
30 39 regulation of motor vehicle dealers, manufacturers, or
30 40 distributors or to the sale, rental, lease, transfer,
30 41 or disposition of motor vehicles.

30 42 Sec. 97. Section 321.166, subsection 1, paragraph
30 43 a, Code 2013, is amended to read as follows:
30 44 a. Registration plates shall be of metal and of a
30 45 size not to exceed six inches by twelve inches, except
30 46 that the size of plates issued for use on all-terrain
30 47 vehicles, motorized bicycles, motorcycles, motorcycle
30 48 trailers, and trailers with an empty weight of two
30 49 thousand pounds or less shall be established by the
30 50 department.

31 1 Sec. 98. Section 321.166, subsection 4, Code 2013,
31 2 is amended to read as follows:
31 3 4. The registration plate number, except on
31 4 all-terrain vehicles, motorized bicycles,
31 5 motorcycle trailers, and trailers with an empty weight
31 6 of two thousand pounds or less, shall be of sufficient
31 7 size to be readable from a distance of one hundred feet
31 8 during daylight.

31 9 Sec. 99. Section 321.234A, subsection 1, paragraph
31 10 f, Code 2013, is amended by striking the paragraph.

31 11 Sec. 100. Section 321.234A, Code 2013, is amended
31 12 by adding the following new subsection:
31 13 NEW SUBSECTION 5. The provisions of this section
31 14 do not apply to an all-terrain vehicle registered under
31 15 section 321.118 and operated on a highway in accordance
31 16 with section 321.234B.

31 17 Sec. 101. NEW SECTION 321.234B REGISTERED
31 18 ALL-TERRAIN VEHICLES — OPERATION ON HIGHWAYS.
31 19 An all-terrain vehicle which is registered pursuant
31 20 to section 321.118 may be operated on a highway subject
31 21 to all of the following:
31 22 1. PERSONS WHO MAY OPERATE. A person shall not

31 23 operate an all-terrain vehicle on a highway unless the
31 24 person is sixteen years of age or older and has a valid
31 25 driver's license other than a license valid only for
31 26 operation of a motorized bicycle.

31 27 2. OPERATION ON CERTAIN HIGHWAYS ONLY. All-terrain
31 28 vehicles registered under section 321.118 may be
31 29 operated on secondary roads, but shall not be operated
31 30 on primary highways or on highways within the corporate
31 31 limits of a city except as follows:

31 32 a. A person shall not operate an all-terrain
31 33 vehicle registered under section 321.118 on a primary
31 34 highway except to cross a primary highway; however, the
31 35 provisions of section 3211.10 govern the crossing of a
31 36 primary highway when the all-terrain vehicle is being
31 37 operated on an all-terrain vehicle trail.

31 38 b. A person shall not operate an all-terrain
31 39 vehicle registered under section 321.118 on a highway
31 40 within the corporate limits of a city except on a
31 41 nonprimary highway where such operation is authorized
31 42 by ordinance pursuant to section 321.236, subsection
31 43 14A.

31 44 3. MOTOR VEHICLE LAWS APPLICABLE. The motor vehicle
31 45 laws, including but not limited to the provisions
31 46 of sections 321.20B, 321.285, 321.317, 321.385, and
31 47 321.387, apply to the operation of all-terrain vehicles
31 48 registered for operation on highways, except for those
31 49 provisions relating to required equipment which by
31 50 their nature can have no practical application.

32 1 4. PENALTIES. A person convicted of a violation
32 2 of subsection 1 or 2 is guilty of a simple misdemeanor
32 3 punishable as a scheduled violation under section
32 4 805.8A, subsection 6.

32 5 Sec. 102. Section 321.236, Code 2013, is amended by
32 6 adding the following new subsection:
32 7 NEW SUBSECTION 14A. Authorizing the operation of
32 8 all-terrain vehicles registered under section 321.118
32 9 on highways under the jurisdiction of a city, other
32 10 than municipal extensions of primary highways.

32 11 Sec. 103. Section 321.285, Code 2013, is amended by
32 12 adding the following new subsection:
32 13 NEW SUBSECTION 6A. Notwithstanding any other
32 14 speed restrictions allowing for speed in excess of
32 15 forty-five miles per hour, a person shall not operate
32 16 an all-terrain vehicle on a highway at a speed in
32 17 excess of forty-five miles per hour.

32 18 Sec. 104. Section 321F.1, subsection 7, Code 2013,
32 19 is amended to read as follows:
32 20 7. "Motor vehicle" means every vehicle which is

32 21 self-propelled and subject to registration under the
32 22 laws of this state, other than an all-terrain vehicle
32 23 as defined in section 321.1.
32 24 Sec. 105. Section 321H.2, subsection 10, Code 2013,
32 25 is amended to read as follows:
32 26 10. "Vehicle subject to registration" means any
32 27 vehicle that is of a type required to be registered
32 28 under chapter 321 when operated on a public highway,
32 29 including but not limited to a vehicle that is
32 30 inoperable, salvage, or rebuilt, but not including an
32 31 all-terrain vehicle as defined in section 321.1.
32 32 Sec. 106. Section 321I.9, unnumbered paragraph 1,
32 33 Code 2013, is amended to read as follows:
32 34 Registration under this chapter shall not be
32 35 required for the following described all-terrain
32 36 vehicles:
32 37 Sec. 107. Section 321I.10, subsection 1, Code 2013,
32 38 is amended to read as follows:
32 39 1. A person shall not operate an all-terrain
32 40 vehicle or off-road utility vehicle upon roadways
32 41 or highways except as provided in ~~section~~ sections
32 42 321.234A and 321.234B and this section.
32 43 Sec. 108. Section 321I.10, subsections 2 and 3,
32 44 Code 2013, are amended by striking the subsections.
32 45 Sec. 109. Section 321I.31, subsection 1, Code 2013,
32 46 is amended to read as follows:
32 47 1. The owner of an all-terrain vehicle acquired on
32 48 or after January 1, 2000, other than an all-terrain
32 49 vehicle used exclusively as a farm implement or a
32 50 motorcycle previously issued a title pursuant to
33 1 chapter 321, shall apply to the county recorder of the
33 2 county in which the owner resides for a certificate
33 3 of title for the all-terrain vehicle. The owner of
33 4 an all-terrain vehicle used exclusively as a farm
33 5 implement may obtain a certificate of title. A person
33 6 who owns an all-terrain vehicle that is not required to
33 7 have a certificate of title may apply for and receive
33 8 a certificate of title for the all-terrain vehicle
33 9 and, subsequently, the all-terrain vehicle shall be
33 10 subject to the requirements of this chapter as if
33 11 the all-terrain vehicle were required to be titled.
33 12 All all-terrain vehicles that are titled shall be
33 13 registered under this chapter.
33 14 Sec. 110. Section 322.2, subsections 13 and 23,
33 15 Code 2013, are amended to read as follows:
33 16 13. "Motor vehicle" means any self-propelled
33 17 vehicle subject to registration under chapter 321,
33 18 other than an all-terrain vehicle as defined in section

33 19 321.1.

33 20 23. "Used motor vehicle" or "second-hand motor
33 21 vehicle" means any motor vehicle of a type subject to
33 22 registration under the laws of this state, except an
33 23 all-terrain vehicle as defined in section 321.1, which
33 24 has been sold "at retail" as defined in this chapter
33 25 and previously registered in this or any other state.

33 26 Sec. 111. Section 322A.1, subsection 8, Code 2013,
33 27 is amended to read as follows:

33 28 8. "Motor vehicle" means a "motor vehicles" vehicle"
33 29 as defined in chapter 321 which ~~are~~ is subject to
33 30 registration pursuant to the provisions thereof, other
33 31 than an all-terrain vehicle as defined in section
33 32 321.1.

33 33 Sec. 112. Section 331.362, subsection 9, Code 2013,
33 34 is amended to read as follows:

33 35 9. A county may regulate traffic on and use of the
33 36 secondary roads, in accordance with sections 321.236
33 37 to 321.250, 321.254, 321.255, 321.285, subsection
33 38 4, sections 321.352, 321.471 to 321.473, and other
33 39 applicable provisions of chapter 321, and sections
33 40 321G.9, ~~321.10,~~ and 327G.15.

33 41 Sec. 113. Section 423.1, subsection 66, Code 2013,
33 42 is amended to read as follows:

33 43 66. "Vehicles subject to registration" means any
33 44 vehicle subject to registration pursuant to section
33 45 321.18, other than an all-terrain vehicle or off-road
33 46 utility vehicle registered pursuant to section 321.118.

33 47 Sec. 114. Section 516E.1, subsection 6, Code 2013,
33 48 is amended to read as follows:

33 49 6. "Motor vehicle" means any self-propelled vehicle
33 50 subject to registration under chapter 321, other than
34 1 an all-terrain vehicle as defined in section 321.1.

34 2 Sec. 115. Section 537B.2, subsection 2, Code 2013,
34 3 is amended to read as follows:

34 4 2. "Motor vehicle" means a motor vehicle as defined
34 5 in section 321.1 which is subject to registration.
34 6 However, "motor vehicle" does not include a motor
34 7 vehicle, as defined in section 321.1, with a gross
34 8 vehicle weight rating of more than twelve thousand
34 9 pounds, or an all-terrain vehicle as defined in section
34 10 321.1.

34 11 Sec. 116. Section 805.8A, subsection 6, Code 2013,
34 12 is amended by adding the following new paragraph:
34 13 NEW PARAGRAPH 0a. Section 321.234B, subsection 1
34 14 or 2\$50.

34 16 RULEMAKING PROCESS

34 17 Sec. 117. Section 17A.4, subsection 3, Code 2013,
34 18 is amended to read as follows:

34 19 ~~3. a.—When an agency for good cause finds that~~
34 20 ~~notice and public participation would be unnecessary,~~
34 21 ~~impracticable, or contrary to the public interest When~~
34 22 ~~the statute so provides, or with the approval of the~~
34 23 ~~administrative rules review committee, if the committee~~
34 24 ~~finds good cause that notice and public participation~~
34 25 ~~would be unnecessary, impracticable, or contrary to the~~
34 26 ~~public interest, the provisions of subsection 1 shall~~
34 27 ~~be inapplicable. The agency shall incorporate in each~~
34 28 ~~rule issued in reliance upon this provision either the~~
34 29 ~~finding and a brief statement of the reasons for the~~
34 30 ~~finding, or a statement that the rule is within a very~~
34 31 ~~narrowly tailored category of rules whose issuance~~
34 32 ~~has previously been exempted from subsection 1 by a~~
34 33 ~~special rule relying on this provision and including~~
34 34 ~~such a finding and statement of reasons for the entire~~
34 35 ~~category.~~

34 36 b. (1) If the administrative rules review
34 37 committee by a two-thirds vote, the governor, or the
34 38 attorney general files with the administrative code
34 39 editor an objection to the adoption of any a rule or
34 40 portion of a rule pursuant to this subsection, that the
34 41 rule or portion of the rule shall cease to be effective
34 42 one hundred eighty days after the date the objection
34 43 was filed. A

34 44 (2) If the administrative rules review committee
34 45 files with the administrative code editor an objection
34 46 to the adoption of a rule or portion of a rule
34 47 pursuant to this subsection, the administrative rules
34 48 review committee, by a separate two-thirds vote, may
34 49 suspend the applicability of the rule or portion of
34 50 the rule until the rule ceases to be effective under
35 1 this paragraph “b”. The determination to suspend
35 2 the applicability of the rule or portion of the rule
35 3 shall be included in the copy of the objection to be
35 4 forwarded to the agency.

35 5 c. If an objection to a rule is filed under this
35 6 subsection, a copy of the objection, properly dated,
35 7 shall be forwarded to the agency at the time of filing
35 8 the objection. In any action contesting a rule or
35 9 portion of a rule adopted pursuant to this subsection,
35 10 the burden of proof shall be on the agency to show that
35 11 the procedures of subsection 1 were impracticable,
35 12 unnecessary, or contrary to the public interest and

CODE: Grants new powers to the Administrative Rules Review Committee (ARRC) during the rulemaking process. Changes pertain to emergency rulemaking procedures and notices of intended action filed by State agencies. Currently, rules promulgated under emergency rulemaking procedures are effective when filed and are not subject to the 70-day authority of the ARRC. The ARRC currently has no authority relating to a notice of intended action filed with the ARRC until the adopted rule is filed with the ARRC following the notice. The ARRC may only utilize a 70-day or Legislative Session delay for an entire rule. This amendment makes the following changes:

- Rules may be adopted without notice only if authorized in statute or with the approval of the ARRC.
- Requires all rulemaking to be construed narrowly unless specifically authorized in statute.
- Authorizes the ARRC to object and suspend an “emergency rulemaking.”
- Expands the 70-day delay authority of the ARRC under certain circumstances.
- Expands the Legislative Session delay authority of the ARRC. The ARRC is granted the authority, with a two-thirds vote, to suspend the applicability of an “emergency rulemaking” until the adjournment of the next regular Session of the General Assembly. The Committee must vote within 35 days of the rule’s effective date. The ARRC may use a Legislative Session delay for a portion of a rule, and may do so for any reason.

35 13 that, if a category of rules was involved, the category
35 14 was very narrowly tailored.

35 15 Sec. 118. Section 17A.4, subsection 7, Code 2013,
35 16 is amended to read as follows:

35 17 7. a. Upon the vote of two-thirds of its members
35 18 the administrative rules review committee may delay the
35 19 effective date of a rule or portion of a rule seventy
35 20 days beyond that permitted in section 17A.5, unless the
35 21 rule was promulgated under section 17A.5, subsection 2,
35 22 paragraph "b". ~~This provision shall be utilized by the~~
35 23 ~~committee only if further time is necessary to study~~
35 24 ~~and examine the rule. If the rule was promulgated~~
35 25 under section 17A.5, subsection 2, paragraph "b",
35 26 the administrative rules review committee, within
35 27 thirty-five days of the effective date of the rule and
35 28 upon the vote of two-thirds of its members, may suspend
35 29 the applicability of the rule or portion of the rule
35 30 for seventy days.

35 31 b. Notice of an effective date that was delayed
35 32 under this provision shall be published in the Iowa
35 33 administrative code and bulletin.

35 34 Sec. 119. Section 17A.4, Code 2013, is amended by
35 35 adding the following new subsection:

35 36 NEW SUBSECTION 9. Upon the vote of two-thirds of
35 37 its members, the administrative rules review committee,
35 38 following notice of intended action as provided in
35 39 subsection 1 and prior to adoption of a rule pursuant
35 40 to that notice, may suspend further action relating to
35 41 that notice for seventy days. Notice of a notice of
35 42 intended action that was suspended under this provision
35 43 shall be published in the Iowa administrative code and
35 44 bulletin.

35 45 Sec. 120. Section 17A.8, subsection 9, Code 2013,
35 46 is amended to read as follows:

35 47 9. a. Upon a vote of two-thirds of its members,
35 48 the administrative rules review committee may delay the
35 49 effective date of a rule or portion of a rule until
35 50 the adjournment of the next regular session of the
36 1 general assembly, unless the rule was promulgated under
36 2 section 17A.5, subsection 2, paragraph "b". If the
36 3 rule was promulgated under section 17A.5, subsection
36 4 2, paragraph "b", the administrative rules review
36 5 committee, within thirty-five days of the effective
36 6 date of the rule and upon the vote of two-thirds of its
36 7 members, may suspend the applicability of the rule or
36 8 portion of the rule until the adjournment of the next
36 9 regular session of the general assembly.

36 10 b. The committee shall refer a rule or portion

36 11 of a rule whose effective date has been delayed or
36 12 applicability has been suspended to the speaker of
36 13 the house of representatives and the president of the
36 14 senate who shall refer the delayed or suspended rule
36 15 or portion of the rule to the appropriate standing
36 16 committees of the general assembly. A standing
36 17 committee shall review ~~a~~ the rule within twenty-one
36 18 days after the rule is referred to the committee by
36 19 the speaker of the house of representatives or the
36 20 president of the senate and shall take formal committee
36 21 action by sponsoring a joint resolution to disapprove
36 22 the rule, by proposing legislation relating to the
36 23 rule, or by refusing to propose a joint resolution
36 24 or legislation concerning the rule. The standing
36 25 committee shall inform the administrative rules review
36 26 committee of the committee action taken concerning the
36 27 rule. If the general assembly has not disapproved of
36 28 the rule by a joint resolution, the rule shall become
36 29 effective. The speaker of the house of representatives
36 30 and the president of the senate shall notify the
36 31 administrative code editor of the final disposition
36 32 of each rule or portion of a rule whose effective
36 33 date has been delayed or whose applicability has been
36 34 suspended pursuant to this subsection. If ~~a~~ the
36 35 rule is disapproved, it the rule shall not ~~become~~ be
36 36 effective and the agency shall rescind the rule. ~~This~~
36 37 ~~section shall not apply to rules made effective under~~
36 38 ~~section 17A.5, subsection 2, paragraph "b"~~.
36 39 Sec. 121. Section 17A.23, Code 2013, is amended to
36 40 read as follows:
36 41 17A.23 CONSTRUCTION — DELEGATION OF AUTHORITY .
36 42 1. Except as expressly provided otherwise by this
36 43 chapter or by another statute referring to this chapter
36 44 by name, the rights created and the requirements
36 45 imposed by this chapter shall be in addition to those
36 46 created or imposed by every other statute in existence
36 47 on July 1, 1975, or enacted after that date. If any
36 48 other statute in existence on July 1, 1975, or enacted
36 49 after that date diminishes a right conferred upon a
36 50 person by this chapter or diminishes a requirement
37 1 imposed upon an agency by this chapter, this chapter
37 2 shall take precedence unless the other statute
37 3 expressly provides that it shall take precedence over
37 4 all or some specified portion of this ~~named~~ cited
37 5 chapter.
37 6 2. This chapter shall be construed broadly to
37 7 effectuate its purposes. This chapter shall also
37 8 be construed to apply to all agencies not expressly

37 9 exempted by this chapter or by another statute
 37 10 specifically referring to this chapter by ~~name~~
 37 11 citation; and except as to proceedings in process on
 37 12 July 1, 1975, this chapter shall be construed to apply
 37 13 to all covered agency proceedings and all agency action
 37 14 not expressly exempted by this chapter or by another
 37 15 statute specifically referring to this chapter by ~~name~~
 37 16 citation.

37 17 3. An agency shall have only that authority or
 37 18 discretion delegated to or conferred upon the agency by
 37 19 law and shall not expand or enlarge its authority or
 37 20 discretion beyond the powers delegated to or conferred
 37 21 upon the agency. Unless otherwise specifically
 37 22 provided in statute, a grant of rulemaking authority
 37 23 shall be construed narrowly.

37 24 DIVISION XI
 37 25 STATE EMPLOYEE AND ELECTED OFFICIAL PAYMENT OF HEALTH
 37 26 INSURANCE PREMIUMS

37 27 Sec. 122. Section 2.40, subsection 1, paragraph
 37 28 a, subparagraph (2), Code 2013, is amended to read as
 37 29 follows:

37 30 (2) The member shall pay the premium for the
 37 31 plan selected on the same basis as a full-time state
 37 32 employee excluded from collective bargaining as
 37 33 provided in chapter 20. However, the member shall pay
 37 34 a portion of the total premium for the plan selected
 37 35 in an amount as determined by the legislative council.
 37 36 The payment amount as determined by the legislative
 37 37 council shall be at least twenty percent of the total
 37 38 premium for the single or family coverage provided
 37 39 in connection with the member and shall include a
 37 40 wellness credit to be applied to the member portion
 37 41 of the premium. The payment amount determined by the
 37 42 legislative council shall apply to employees of the
 37 43 general assembly.

37 44 Sec. 123. NEW SECTION 8A.440 GROUP HEALTH
 37 45 INSURANCE PREMIUM COSTS.

37 46 1. Collective bargaining agreements entered into
 37 47 pursuant to chapter 20 for state employees shall
 37 48 provide that a state employee covered by that agreement
 37 49 who is a member of a state group health insurance plan
 37 50 for employees of the state established under chapter
 38 1 509A shall pay at least twenty percent of the total
 38 2 premium for the single or family coverage provided in
 38 3 connection with each employee. The agreements shall

CODE: Require members and employees of the General Assembly to contribute a minimum of 20.00%, as specified by the Legislative Council, toward the premium for the health plan the individual selects, and requires the application of a wellness credit.

CODE: Requires State collective bargaining agreements to include a provision that employees must pay at least 20.00% of the total health insurance premium and the application of a wellness credit. This requirement also includes the Board of Regents. Employees not covered by a collective bargaining agreement are required to contribute in the same manner as required by the collective bargaining agreement covering the most employees, in the entity, that employs the employee.

38 4 include a wellness credit to be applied to the member
 38 5 portion of the premium.
 38 6 2. A state employee not covered by a collective
 38 7 bargaining agreement as provided in chapter 20 who is
 38 8 a member of a state group health insurance plan for
 38 9 employees of the state established under chapter 509A
 38 10 shall pay the same percentage of the total premium
 38 11 for such insurance as is paid under the collective
 38 12 bargaining agreement that covers the greatest number
 38 13 of state employees in the state government entity
 38 14 employing the state employee and shall be provided a
 38 15 wellness credit option.

38 16 Sec. 124. STATEWIDE ELECTED OFFICIALS — GROUP
 38 17 HEALTH INSURANCE PREMIUM COSTS. A statewide elected
 38 18 official who is a member of a state group insurance
 38 19 plan for employees of the state established under
 38 20 chapter 509A shall pay a portion of the total premium
 38 21 for the plan selected in an amount as determined by the
 38 22 executive council. The payment amount as determined
 38 23 by the executive council shall be at least 20 percent
 38 24 of the total premium for the single or family coverage
 38 25 provided in connection with the elected official and
 38 26 shall include a wellness credit to be applied to the
 38 27 member portion of the premium.

Requires statewide elected officials to contribute at least 20.00% of the total health insurance premium for the health plan selected by the official and the application of a wellness credit.

38 28 Sec. 125. GROUP HEALTH INSURANCE PREMIUMS FOR STATE
 38 29 EMPLOYEES.
 38 30 1. a. This subsection does not apply to members
 38 31 of the general assembly or elected officials who are
 38 32 subject to the provisions of this division of this
 38 33 Act amending section 2.40 or requiring statewide
 38 34 elected officials to pay a portion of health insurance
 38 35 premiums.
 38 36 b. For the fiscal year beginning July 1, 2013, each
 38 37 state employee who is a member of a state group health
 38 38 insurance plan for state employees established under
 38 39 chapter 509A shall pay at least 20 percent of the total
 38 40 premium for the single or family coverage provided
 38 41 in connection with the employee's membership in the
 38 42 insurance plan.
 38 43 c. For the fiscal year beginning July 1, 2013,
 38 44 each person who is a member of a state group health
 38 45 insurance plan for employees of the state board of
 38 46 regents and the institutions under the control of the
 38 47 state board shall pay at least 20 percent of the total
 38 48 premium for the single or family coverage provided
 38 49 in connection with the person's membership in the

Requires Judicial and Executive Branch employees, including the Board of Regents, to contribute at least 20.00% of the total health insurance premium for the health plan selected by the employee and the application of a wellness credit beginning with FY 2014. For FY 2014, requires statewide elected officials, the Legislative, Judicial, and Executive Branch employees' contribution to be transferred to the employing agency responsible for the payment of the health premium and a corresponding decrease in the agencies appropriation. These requirements also include the Board of Regents. Requires the DOM to submit FY 2014 quarterly reports to the General Assembly and the LSA explaining the reductions to appropriations resulting from the transfer of the employees' contributions.

38 50 insurance plan.

39 1 d. For the fiscal year beginning July 1, 2013, each
39 2 judicial officer or employee of the judicial branch who
39 3 is a member of a state group health insurance plan for
39 4 state employees established under chapter 509A shall
39 5 pay at least 20 percent of the total premium for the
39 6 single or family coverage provided in connection with
39 7 the judicial officer or employee's membership in the
39 8 insurance plan.

39 9 e. The requirements in this subsection shall be
39 10 enforceable against all applicable employees for the
39 11 fiscal year beginning July 1, 2013, notwithstanding
39 12 any provision of chapter 20 to the contrary, and
39 13 shall remain applicable to each such state employee
39 14 and person in fiscal years succeeding the fiscal year
39 15 specified in this subsection until the requirement
39 16 implemented pursuant to section 8A.440 is applicable
39 17 to the employee or person.

39 18 f. The requirements in this subsection shall
39 19 include a wellness credit to be applied to the member
39 20 portion of the premium.

39 21 2. a. For the fiscal year beginning July 1, 2013,
39 22 the portion of the payments made pursuant to subsection
39 23 1 attributed to increases in payments as a result of
39 24 the percentage requirement implemented pursuant to
39 25 subsection 1 shall be transferred to the judicial
39 26 branch or the state agency charged for the state group
39 27 health insurance plan premiums of the judicial officer,
39 28 employee, or person who made the payment and shall
39 29 apply in lieu of a like amount from the appropriations
39 30 made to the judicial branch or the state agency for the
39 31 fiscal year.

39 32 b. The moneys paid by members or employees of
39 33 the general assembly pursuant to section 2.40, as
39 34 amended by this division of this Act, for the fiscal
39 35 year beginning July 1, 2013, are appropriated to the
39 36 general assembly in lieu of a like amount from the
39 37 appropriations made to the general assembly pursuant to
39 38 section 2.12, for the fiscal year.

39 39 c. The moneys paid by statewide elected officials
39 40 pursuant to the section of this division of this Act
39 41 requiring the officials to pay a portion of the health
39 42 insurance premium costs for the coverage provided to
39 43 the officials, for the fiscal year beginning July 1,
39 44 2012, are appropriated to the state agency charged for
39 45 the state group health insurance plan premiums of the
39 46 official who made the payment in lieu of a like amount
39 47 from the appropriations made to the state agency for

39 48 the fiscal year.
 39 49 3. The department of management, with the
 39 50 assistance of the department of administrative
 40 1 services, state board of regents, the state fair
 40 2 board, the state department of transportation, and each
 40 3 judicial district department of correctional services,
 40 4 shall submit a quarterly report to the general assembly
 40 5 and the legislative services agency during the fiscal
 40 6 year beginning July 1, 2013, regarding the reductions
 40 7 to appropriations made pursuant to subsection 2 during
 40 8 the quarter.

40 9 Sec. 126. APPLICABILITY. The section of this
 40 10 division of this Act enacting section 8A.440, applies
 40 11 to collective bargaining agreements entered into on
 40 12 or after the effective date of that section of this
 40 13 division of this Act.

The section related to the group health insurance applies to collective bargaining agreements entered into on or after the effective date.

40 14 Sec. 127. EFFECTIVE UPON ENACTMENT. The following
 40 15 sections of this division of this Act, being deemed of
 40 16 immediate importance, take effect upon enactment:
 40 17 1. The section of this Act enacting section 8A.440.
 40 18 2. The section of this Act relating to group health
 40 19 insurance premiums for state employees.

The sections related to the group health insurance and the required group health insurance premiums for State employees are effective on enactment.

40 20 DIVISION XII
 40 21 SPEED DETECTION JAMMING DEVICES

40 22 Sec. 128. Section 321.232, Code 2013, is amended to
 40 23 read as follows:
 40 24 ~~321.232—RADAR SPEED DETECTION~~ JAMMING DEVICES —
 40 25 PENALTY.

CODE: Expands current law to apply to a broader range of devices that interfere with radar speed meters and laser speed meters. The fine amount remains the same as current law, a simple misdemeanor punishable by a scheduled fine of \$100.

40 26 1. A person shall not sell, operate, or possess
 40 27 a ~~radar speed detection~~ jamming device, except as
 40 28 otherwise provided in this section, when the device is
 40 29 in a vehicle operated on the highways of this state or
 40 30 the device is held for sale in this state.

DETAIL: Current law prohibits the sale, operation, or possession of a radar jamming device.

40 31 2. This section does not apply to ~~radar~~ speed
 40 32 measuring devices purchased by, held for purchase for,
 40 33 or operated by peace officers using the devices in
 40 34 performance of their official duties.

40 35 3. A ~~radar speed detection~~ jamming device sold,
 40 36 operated, or possessed in violation of subsection 1
 40 37 may be seized by a peace officer and is subject to
 40 38 forfeiture as provided by chapter 809 or 809A.

40 39 4. For the purposes of this section "~~radar jamming~~
 40 40 ~~device~~";

40 41 a. "Speed detection jamming device" means any

40 42 mechanism designed or used to transmit radio waves in
 40 43 ~~the electromagnetic wave spectrum to interfere with the~~
 40 44 ~~reception of those emitted from a device used by peace~~
 40 45 ~~officers of this state to measure the speed of motor~~
 40 46 ~~vehicles on the highways of this state and which is not~~
 40 47 ~~designed for two way transmission and cannot transmit~~
 40 48 ~~in plain language~~ active or passive device, instrument,
 40 49 mechanism, or equipment that is designed or intended
 40 50 to interfere with, disrupt, or scramble the radar or
 41 1 laser that is used by a peace officer to measure the
 41 2 speed of motor vehicles. "Speed detection jamming
 41 3 device" does not include equipment that is legal under
 41 4 federal communications commission regulations, such as
 41 5 a citizens' band radio, a ham radio, or other similar
 41 6 electronic equipment.
 41 7 b. "Speed measuring device" includes but is not
 41 8 limited to devices commonly known as radar speed meters
 41 9 or laser speed meters.
 41 10 Sec. 129. Section 805.8A, subsection 14, paragraph
 41 11 g, Code 2013, is amended to read as follows:
 41 12 g. ~~RADAR JAMMING~~ ~~SPEED DETECTION JAMMING~~
 41 13 DEVICES. For a violation under section 321.232, the
 41 14 scheduled fine is one hundred dollars.

41 15 DIVISION XIII
 41 16 FIREARMS

41 17 Sec. 130. Section 724.23, Code 2013, is amended to
 41 18 read as follows:
 41 19 724.23 RECORDS KEPT BY COMMISSIONER ~~AND ISSUING~~
 41 20 ~~OFFICERS~~ .
 41 21 1. The commissioner of public safety shall maintain
 41 22 a permanent record of all valid permits to carry
 41 23 weapons and of current permit revocations.
 41 24 2. a. ~~Notwithstanding any other law or rule to~~
 41 25 ~~the contrary, the commissioner of public safety and~~
 41 26 ~~any issuing officer shall keep confidential personally~~
 41 27 ~~identifiable information of holders of nonprofessional~~
 41 28 ~~permits to carry weapons and permits to acquire pistols~~
 41 29 ~~or revolvers, including but not limited to the name,~~
 41 30 ~~social security number, date of birth, residential~~
 41 31 ~~or business address, and driver's license or other~~
 41 32 ~~identification number of the applicant or permit~~
 41 33 ~~holder.~~
 41 34 b. This subsection shall not prohibit the
 41 35 release of statistical information relating to the
 41 36 issuance, denial, revocation, or administration of
 41 37 nonprofessional permits to carry weapons and permits to

CODE: This Division requires personally identifying information of holders of nonprofessional permits to carry weapons and permits to acquire pistols or revolvers to be kept confidential. However, statistical information can be released as long as it does not identify the permit holder. Specifies that a person that knowingly misleads a licensed firearms dealer or private seller of firearms or ammunition to transfer a firearm or ammunition under circumstances that the person knows would violate the laws of Iowa or the United States commits a Class D felony. A person that provides false information to a licensed firearms dealer or private seller of firearms with the intent to deceive the dealer or seller commits a Class D felony. This Division is effective on enactment.

41 38 acquire pistols or revolvers, provided that the release
41 39 of such information does not reveal the identity of any
41 40 individual permit holder.
41 41 c. This subsection shall not prohibit the release
41 42 of information to any law enforcement agency or any
41 43 employee or agent thereof when necessary for the
41 44 purpose of investigating a possible violation of law
41 45 or for conducting a lawfully authorized background
41 46 investigation.
41 47 d. Except as provided in paragraphs "b" and "c,"
41 48 the release of any confidential information under this
41 49 section shall require a court order or the consent of
41 50 the person whose personally identifiable information is
42 1 the subject of the information request.
42 2 Sec. 131.NEW SECTION 724.29A FRAUDULENT PURCHASE
42 3 OF FIREARMS OR AMMUNITION.
42 4 1. For purposes of this section:
42 5 a. "Ammunition" means any cartridge, shell, or
42 6 projectile designed for use in a firearm.
42 7 b. "Licensed firearms dealer" means a person who is
42 8 licensed pursuant to 18 U.S.C. § 923 to engage in the
42 9 business of dealing in firearms.
42 10 c. "Materially false information" means information
42 11 that portrays an illegal transaction as legal or a
42 12 legal transaction as illegal.
42 13 d. "Private seller" means a person who sells or
42 14 offers for sale any firearm or ammunition.
42 15 2. A person who knowingly solicits, persuades,
42 16 encourages, or entices a licensed firearms dealer or
42 17 private seller of firearms or ammunition to transfer
42 18 a firearm or ammunition under circumstances that the
42 19 person knows would violate the laws of this state or of
42 20 the United States commits a class "D" felony.
42 21 3. A person who knowingly provides materially
42 22 false information to a licensed firearms dealer or
42 23 private seller of firearms or ammunition with the
42 24 intent to deceive the firearms dealer or seller about
42 25 the legality of a transfer of a firearm or ammunition
42 26 commits a class "D" felony.
42 27 4. Any person who willfully procures another to
42 28 engage in conduct prohibited by this section shall be
42 29 held accountable as a principal.
42 30 5. This section shall not apply to a law
42 31 enforcement officer acting in the officer's official
42 32 capacity or to a person acting at the direction of such
42 33 law enforcement officer.
42 34 Sec. 132. EFFECTIVE UPON ENACTMENT. This division
42 35 of this Act, being deemed of immediate importance,

42 36 takes effect upon enactment.
 42 37 Sec. 133. APPLICABILITY. The section of this
 42 38 division of this Act amending section 724.23 applies
 42 39 to holders of nonprofessional permits to carry weapons
 42 40 and permits to acquire pistols or revolvers and to
 42 41 applicants for nonprofessional permits to carry weapons
 42 42 and permits to acquire pistols or revolvers on or after
 42 43 the effective date of this division of this Act.

42 44 DIVISION XIV
 42 45 NOTARY PUBLIC

42 46 Sec. 134. Section 9B.15, subsection 3, unnumbered
 42 47 paragraph 1, Code 2013, is amended to read as follows:

42 48 A certificate of a notarial act is sufficient if it
 42 49 meets the requirements of subsections 1 and 2 and ~~at~~
 42 50 any of the following apply:

43 1 Sec. 135. Section 9B.17, subsection 1, paragraph a,
 43 2 Code 2013, is amended to read as follows:

43 3 a. Include the notary public's name, the words
 43 4 "Notarial Seal" and "Iowa", the words "Commission
 43 5 Number" followed by a number assigned to the notary
 43 6 public by the secretary of state, the words "My
 43 7 Commission Expires" followed either by the date that
 43 8 the notary public's term would ordinarily expire as
 43 9 provided in section 9B.21 or a blank line on which the
 43 10 notary public shall indicate the date of expiration,

43 11 if any, of the notary public's commission, as required
 43 12 by and in satisfaction of section 9B.15, subsection 1,
 43 13 paragraph "e", and other information required by the
 43 14 secretary of state.

43 15 Sec. 136. Section 321I.31, subsection 3, Code 2013,
 43 16 is amended to read as follows:

43 17 3. An owner of an all-terrain vehicle shall apply
 43 18 to the county recorder for issuance of a certificate
 43 19 of title within thirty days after acquisition.
 43 20 The application shall be on forms the department
 43 21 prescribes and accompanied by the required fee. The
 43 22 application shall be signed and sworn to before a
 43 23 ~~notary public~~ notarial officer as provided in chapter
 43 24 9B or other person who administers oaths, or shall
 43 25 include a certification signed in writing containing
 43 26 substantially the representation that statements made
 43 27 are true and correct to the best of the applicant's
 43 28 knowledge, information, and belief, under penalty of
 43 29 perjury. The application shall contain the date of
 43 30 sale and gross price of the all-terrain vehicle or
 43 31 the fair market value if no sale immediately preceded

CODE: This Division provides technical and conforming changes to the
 Notary Public statute in the Iowa Code.

43 32 the transfer and any additional information the
43 33 department requires. If the application is made for
43 34 an all-terrain vehicle last previously registered
43 35 or titled in another state or foreign country, the
43 36 application shall contain this information and any
43 37 other information the department requires.

43 38 Sec. 137. Section 462A.77, subsection 4, Code 2013,
43 39 is amended to read as follows:

43 40 4. Every owner of a vessel subject to titling
43 41 under this chapter shall apply to the county recorder
43 42 for issuance of a certificate of title for the vessel
43 43 within thirty days after acquisition. The application
43 44 shall be on forms the department prescribes, and
43 45 accompanied by the required fee. The application shall
43 46 be signed and sworn to before a ~~notary public~~ notarial
43 47 officer as provided in chapter 9B or other person who
43 48 administers oaths, or shall include a certification
43 49 signed in writing containing substantially the
43 50 representation that statements made are true and
44 1 correct to the best of the applicant's knowledge,
44 2 information, and belief, under penalty of perjury.
44 3 The application shall contain the date of sale and
44 4 gross price of the vessel or the fair market value
44 5 if no sale immediately preceded the transfer, and any
44 6 additional information the department requires. If
44 7 the application is made for a vessel last previously
44 8 registered or titled in another state or foreign
44 9 country, it shall contain this information and any
44 10 other information the department requires.

44 11 Sec. 138. Section 554.3505, subsection 2, Code
44 12 2013, is amended to read as follows:

44 13 2. A protest is a certificate of dishonor made by a
44 14 United States consul or vice consul, or a ~~notary public~~
44 15 notarial officer as provided in chapter 9B or other
44 16 person authorized to administer oaths by the law of
44 17 the place where dishonor occurs. It may be made upon
44 18 information satisfactory to that person. The protest
44 19 must identify the instrument and certify either that
44 20 presentment has been made or, if not made, the reason
44 21 why it was not made, and that the instrument has been
44 22 dishonored by nonacceptance or nonpayment. The protest
44 23 may also certify that notice of dishonor has been given
44 24 to some or all parties.

44 25 Sec. 139. Section 589.4, Code 2013, is amended to
44 26 read as follows:

44 27 589.4 ACKNOWLEDGMENTS BY CORPORATION OFFICERS.

44 28 The acknowledgments of all deeds, mortgages, or
44 29 other instruments in writing taken or certified more

44 30 than ten years earlier, which instruments have been
44 31 recorded in the recorder's office of any county of this
44 32 state, including acknowledgments of instruments made by
44 33 a corporation, or to which the corporation was a party,
44 34 or under which the corporation was a beneficiary,
44 35 and which have been acknowledged before or certified
44 36 by a ~~notary public~~ notarial officer as provided in
44 37 chapter 9B who was at the time of the acknowledgment or
44 38 certifying a stockholder or officer in the corporation,
44 39 are legal and valid official acts of the notaries
44 40 public, and entitle the instruments to be recorded,
44 41 anything in the laws of the state of Iowa in regard to
44 42 acknowledgments to the contrary notwithstanding. This
44 43 section does not affect pending litigation.

44 44 Sec. 140. Section 589.5, Code 2013, is amended to
44 45 read as follows:

44 46 589.5 ACKNOWLEDGMENTS BY STOCKHOLDERS.

44 47 All deeds and conveyances of lands within this
44 48 state executed more than ten years earlier, but
44 49 which have been acknowledged or proved according
44 50 to and in compliance with the laws of this state
45 1 before a ~~notary public~~ notarial officer as provided
45 2 in chapter 9B or other official authorized by law
45 3 to take acknowledgments who was, at the time of
45 4 the acknowledgment, an officer or stockholder of a
45 5 corporation interested in the deed or conveyance, or
45 6 otherwise interested in the deeds or conveyances, are,
45 7 if otherwise valid, valid in law as though acknowledged
45 8 or proved before an officer not interested in the
45 9 deeds or conveyances; and if recorded more than ten
45 10 years earlier, in the respective counties in which
45 11 the lands are, the records are valid in law as though
45 12 the deeds and conveyances, so acknowledged or proved
45 13 and recorded, had, prior to being recorded, been
45 14 acknowledged or proved before an officer having no
45 15 interest in the deeds or conveyances.

45 16 Sec. 141. Section 622.86, Code 2013, is amended to
45 17 read as follows:

45 18 622.86 FOREIGN AFFIDAVITS.

45 19 Those taken out of the state before any judge or
45 20 clerk of a court of record, or before a ~~notary public~~
45 21 notarial officer as provided in chapter 9B, or a
45 22 commissioner appointed by the governor of this state to
45 23 take acknowledgment of deeds in the state where such
45 24 affidavit is taken, are of the same credibility as if
45 25 taken within the state.

45 27 FINANCIAL LITERACY

45 28 Sec. 142. FINANCIAL LITERACY PROGRAM. There is
 45 29 transferred from the general fund of the state to the
 45 30 banking division within the department of commerce for
 45 31 the fiscal year beginning July 1, 2013, and ending June
 45 32 30, 2014, the following amount, or so much thereof as
 45 33 is necessary, for the purposes designated:
 45 34 For deposit in the banking division financial
 45 35 literacy fund created in section 524.107A to support
 45 36 financial literacy education as determined by the
 45 37 banking division through a bank, bank holding company,
 45 38 savings bank, or savings and loan association organized
 45 39 under the law of this state, another state, or the
 45 40 United States:
 45 41 \$ 50,000

General Fund appropriation for FY 2014 to the Banking Division of the Department of Commerce to implement a financial literacy program.

45 42 Sec. 143. NEW SECTION 524.107A FINANCIAL LITERACY
 45 43 FUND.
 45 44 A financial literacy fund is created in the state
 45 45 treasury under the authority of the superintendent.
 45 46 Moneys credited to the fund for a fiscal year are
 45 47 appropriated to the banking division to be used for
 45 48 financial literacy program activities. Notwithstanding
 45 49 section 8.33, moneys credited to the fund that remain
 45 50 unencumbered or unobligated at the close of the fiscal
 46 1 year shall not revert but shall remain available for
 46 2 expenditure for the purposes designated until the close
 46 3 of the succeeding fiscal year. Notwithstanding section
 46 4 12C.7, subsection 2, interest or earnings on moneys
 46 5 deposited in the fund shall be credited to the fund.

CODE: Creates the Financial Literacy Fund under the direction of the Superintendent of the Banking Division of the Department of Commerce for the purpose of implementing a financial literacy program.

46 6 2 Title page, line 2, after fees, by inserting
 46 7 and penalties, providing for matters relating to
 46 8 taxation,
 46 9 3 By renumbering as necessary.

Makes conforming changes to the title page.

SF 452 - Standing Appropriations Bill

General Fund

| | FY 2013 | FY 2014 | | | | | FY 2015 | | | | |
|--|---------------------|-------------------------|-----------------------|-------------------------|-----------------------|-------------------------|-------------------------|-----------------------|-------------------------|----------------------|-------------------------|
| | Senate-SF452 (1) | Current Law (2) | House-SF452 (3) | House Total (4) | Senate-SF452 (5) | Senate Total (6) | Current Law (7) | House-SF452 (8) | House Total (9) | Senate-SF452 (10) | Senate Total (11) |
| Administrative Services, Dept. of | | | | | | | | | | | |
| Volunteer EMS Provider Death Benefit | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 |
| Federal Cash Management - Standing | 0 | 356,587 | 0 | 356,587 | 0 | 356,587 | 356,587 | 0 | 356,587 | 0 | 356,587 |
| Unemployment Compensation - Standing | 0 | 440,371 | 0 | 440,371 | 0 | 440,371 | 440,371 | 0 | 440,371 | 0 | 440,371 |
| Municipal Fire & Police Retirement | 9,600,000 | 0 | 0 | 0 | 5,000,000 | 5,000,000 | 0 | 0 | 0 | 5,000,000 | 5,000,000 |
| Total Administrative Services, Dept. of | \$ 9,600,000 | \$ 796,958 | \$ 0 | \$ 796,958 | \$ 5,000,000 | \$ 5,796,958 | \$ 796,958 | \$ 0 | \$ 796,958 | \$ 5,000,000 | \$ 5,796,958 |
| Commerce, Dept. of | | | | | | | | | | | |
| Financial Literacy | \$ 0 | \$ 0 | \$ 50,000 | \$ 50,000 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 |
| Human Rights, Dept. of | | | | | | | | | | | |
| Individual Development Accounts | \$ 0 | \$ 0 | \$ 50,000 | \$ 50,000 | \$ 250,000 | \$ 250,000 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 |
| Corrections, Dept. of | | | | | | | | | | | |
| State Cases Court Costs | \$ 0 | \$ 59,733 | \$ 0 | \$ 59,733 | \$ 0 | \$ 59,733 | \$ 59,733 | \$ 0 | \$ 59,733 | \$ 0 | \$ 59,733 |
| Cultural Affairs, Dept. of | | | | | | | | | | | |
| County Endowment Funding - DCA Grants | \$ 0 | \$ 520,000 | \$ -103,298 | \$ 416,702 | \$ 0 | \$ 520,000 | \$ 520,000 | \$ -311,649 | \$ 208,351 | \$ 0 | \$ 520,000 |
| Economic Development Authority | | | | | | | | | | | |
| Tourism Marketing - Adjusted Gross Receipts | \$ 0 | \$ 1,164,000 | \$ -353,694 | \$ 810,306 | \$ 0 | \$ 1,164,000 | \$ 1,164,000 | \$ -758,847 | \$ 405,153 | \$ 0 | \$ 1,164,000 |
| Regional Tourism | 0 | 0 | 0 | 0 | 1,164,000 | 1,164,000 | 0 | 0 | 0 | 1,164,000 | 1,164,000 |
| Total Economic Development Authority | \$ 0 | \$ 1,164,000 | \$ -353,694 | \$ 810,306 | \$ 1,164,000 | \$ 2,328,000 | \$ 1,164,000 | \$ -758,847 | \$ 405,153 | \$ 1,164,000 | \$ 2,328,000 |
| Education, Dept. of | | | | | | | | | | | |
| Child Development | \$ 0 | \$ 12,606,190 | \$ -1,877,299 | \$ 10,728,891 | \$ 0 | \$ 12,606,190 | \$ 12,606,190 | \$ -7,241,745 | \$ 5,364,445 | \$ 0 | \$ 12,606,190 |
| Instructional Support | 0 | 14,800,000 | -14,800,000 | 0 | -14,800,000 | 0 | 14,800,000 | -14,800,000 | 0 | -14,800,000 | 0 |
| Nonpublic School Transportation | 0 | 9,660,931 | -1,100,000 | 8,560,931 | -1,100,000 | 8,560,931 | 9,660,931 | -1,100,000 | 8,560,931 | -1,100,000 | 8,560,931 |
| Sac Fox Settlement Education | 0 | 100,000 | 0 | 100,000 | 0 | 100,000 | 100,000 | 0 | 100,000 | 0 | 100,000 |
| State Foundation School Aid (Baseline) ' | 0 | 2,653,800,000 | 0 | 2,653,800,000 | 0 | 2,653,800,000 | 2,653,800,000 | 0 | 2,653,800,000 | 0 | 2,653,800,000 |
| AEA School Aid Reduction | 0 | 0 | -20,000,000 | -20,000,000 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| State Aid English Lang. Learners | 0 | 0 | 0 | 0 | 4,500,000 | 4,500,000 | 0 | 0 | 0 | 9,500,000 | 9,500,000 |
| Total Education, Dept. of | \$ 0 | \$ 2,690,967,121 | \$ -37,777,299 | \$ 2,653,189,822 | \$ -11,400,000 | \$ 2,679,567,121 | \$ 2,690,967,121 | \$ -23,141,745 | \$ 2,667,825,376 | \$ -6,400,000 | \$ 2,684,567,121 |
| Iowa Workforce Development | | | | | | | | | | | |
| State Energy Sector Grants | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 150,000 | \$ 150,000 | \$ 0 | \$ 0 | \$ 0 | \$ 150,000 | \$ 150,000 |
| Executive Council | | | | | | | | | | | |
| Court Costs | \$ 0 | \$ 59,772 | \$ 0 | \$ 59,772 | \$ 0 | \$ 59,772 | \$ 59,772 | \$ 0 | \$ 59,772 | \$ 0 | \$ 59,772 |
| Public Improvements | 0 | 39,848 | 0 | 39,848 | 0 | 39,848 | 39,848 | 0 | 39,848 | 0 | 39,848 |
| Drainage Assessment | 0 | 20,227 | 0 | 20,227 | 0 | 20,227 | 20,227 | 0 | 20,227 | 0 | 20,227 |
| Total Executive Council | \$ 0 | \$ 119,847 | \$ 0 | \$ 119,847 | \$ 0 | \$ 119,847 | \$ 119,847 | \$ 0 | \$ 119,847 | \$ 0 | \$ 119,847 |
| Legislative Branch | | | | | | | | | | | |
| Legislative Branch | \$ 0 | \$ 37,000,000 | \$ -3,000,000 | \$ 34,000,000 | \$ 0 | \$ 37,000,000 | \$ 37,000,000 | \$ 0 | \$ 37,000,000 | \$ 0 | \$ 37,000,000 |
| Governor | | | | | | | | | | | |
| Interstate Extradition | \$ 0 | \$ 3,032 | \$ 0 | \$ 3,032 | \$ 0 | \$ 3,032 | \$ 3,032 | \$ 0 | \$ 3,032 | \$ 0 | \$ 3,032 |

SF 452 - Standing Appropriations Bill General Fund

| | FY 2013 | | FY 2014 | | | | FY 2015 | | | | |
|---|----------------------|-------------------------|-----------------------|-------------------------|-------------------|-------------------------|-------------------------|-----------------------|-------------------------|---------------------|-------------------------|
| | Senate-SF452 | Current Law | House-SF452 | House Total | Senate-SF452 | Senate Total | Current Law | House-SF452 | House Total | Senate-SF452 | Senate Total |
| | (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) | (11) |
| Public Health, Dept. of | | | | | | | | | | | |
| Congenital & Inherited Disorders Registry | \$ 0 | \$ 232,500 | \$ 0 | \$ 232,500 | \$ 0 | \$ 232,500 | \$ 232,500 | \$ 0 | \$ 232,500 | \$ 0 | \$ 232,500 |
| Human Services, Dept. of | | | | | | | | | | | |
| Commission of Inquiry | \$ 0 | \$ 1,394 | \$ 0 | \$ 1,394 | \$ 0 | \$ 1,394 | \$ 1,394 | \$ 0 | \$ 1,394 | \$ 0 | \$ 1,394 |
| Nonresident Transfers | 0 | 67 | 0 | 67 | 0 | 67 | 67 | 0 | 67 | 0 | 67 |
| Nonresident Commitment Mental Illness | 0 | 142,802 | 0 | 142,802 | 0 | 142,802 | 142,802 | 0 | 142,802 | 0 | 142,802 |
| Child Abuse Prevention | 0 | 232,500 | 0 | 232,500 | 0 | 232,500 | 232,500 | 0 | 232,500 | 0 | 232,500 |
| Total Human Services, Dept. of | \$ 0 | \$ 376,763 | \$ 0 | \$ 376,763 | \$ 0 | \$ 376,763 | \$ 376,763 | \$ 0 | \$ 376,763 | \$ 0 | \$ 376,763 |
| Judicial Branch | | | | | | | | | | | |
| Judicial Pension System | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 5,000,000 | \$ 5,000,000 | \$ 0 | \$ 0 | \$ 0 | \$ 5,000,000 | \$ 5,000,000 |
| Management, Dept. of | | | | | | | | | | | |
| Special Olympics Fund | \$ 0 | \$ 50,000 | \$ 0 | \$ 50,000 | \$ 50,000 | \$ 100,000 | \$ 50,000 | \$ 0 | \$ 50,000 | \$ 50,000 | \$ 100,000 |
| Appeal Board Claims | 0 | 7,086,307 | -4,086,307 | 3,000,000 | 0 | 7,086,307 | 7,086,307 | 0 | 7,086,307 | 0 | 7,086,307 |
| Technology Reinvestment Fund | 0 | 17,500,000 | 0 | 17,500,000 | 0 | 17,500,000 | 17,500,000 | 0 | 17,500,000 | 0 | 17,500,000 |
| Total Management, Dept. of | \$ 0 | \$ 24,636,307 | \$ -4,086,307 | \$ 20,550,000 | \$ 50,000 | \$ 24,686,307 | \$ 24,636,307 | \$ 0 | \$ 24,636,307 | \$ 50,000 | \$ 24,686,307 |
| Natural Resources, Dept. of | | | | | | | | | | | |
| REAP GF Standing ¹ | \$ 0 | \$ 20,000,000 | \$ 0 | \$ 20,000,000 | \$ 0 | \$ 20,000,000 | \$ 20,000,000 | \$ 0 | \$ 20,000,000 | \$ 0 | \$ 20,000,000 |
| Public Defense, Dept. of | | | | | | | | | | | |
| Compensation and Expense | \$ 0 | \$ 344,644 | \$ 0 | \$ 344,644 | \$ 0 | \$ 344,644 | \$ 344,644 | \$ 0 | \$ 344,644 | \$ 0 | \$ 344,644 |
| Public Safety, Department of | | | | | | | | | | | |
| POR Unfunded Liabilities | \$ 5,000,000 | \$ 5,000,000 | \$ -5,000,000 | \$ 0 | \$ 0 | \$ 5,000,000 | \$ 5,000,000 | \$ -5,000,000 | \$ 0 | \$ 0 | \$ 5,000,000 |
| Public Safety Training | 50,000 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Management, Dept. of | \$ 5,050,000 | \$ 5,000,000 | \$ -5,000,000 | \$ 0 | \$ 0 | \$ 5,000,000 | \$ 5,000,000 | \$ -5,000,000 | \$ 0 | \$ 0 | \$ 5,000,000 |
| Revenue, Dept. of | | | | | | | | | | | |
| Ag Land Tax Credit - GF | \$ 0 | \$ 39,100,000 | \$ 0 | \$ 39,100,000 | \$ 0 | \$ 39,100,000 | \$ 39,100,000 | \$ 0 | \$ 39,100,000 | \$ 0 | \$ 39,100,000 |
| Homestead Tax Credit Aid - GF | 0 | 138,000,000 | 0 | 138,000,000 | 0 | 138,000,000 | 139,000,000 | 0 | 139,000,000 | 0 | 139,000,000 |
| Elderly & Disabled Tax Credit - GF | 0 | 27,200,000 | 0 | 27,200,000 | 0 | 27,200,000 | 28,700,000 | 0 | 28,700,000 | 0 | 28,700,000 |
| Printing Cigarette Stamps | 0 | 124,652 | 0 | 124,652 | 0 | 124,652 | 562,500 | 0 | 562,500 | 0 | 562,500 |
| Military Service Tax Refunds | 0 | 2,400,000 | 0 | 2,400,000 | 0 | 2,400,000 | 2,400,000 | 0 | 2,400,000 | 0 | 2,400,000 |
| Tobacco Reporting Requirements | 0 | 25,000 | -6,584 | 18,416 | -6,584 | 18,416 | 25,000 | -15,792 | 9,208 | -15,792 | 9,208 |
| Total Revenue, Dept. of | \$ 0 | \$ 206,849,652 | \$ -6,584 | \$ 206,843,068 | \$ -6,584 | \$ 206,843,068 | \$ 209,787,500 | \$ -15,792 | \$ 209,771,708 | \$ -15,792 | \$ 209,771,708 |
| Transportation, Dept. of | | | | | | | | | | | |
| Airport Traffic Control Grant | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 150,000 | \$ 150,000 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 |
| Street Construction Fund | 0 | 0 | 135,000 | 135,000 | 135,000 | 135,000 | 0 | 0 | 0 | 0 | 0 |
| Public Transit Vehicle Grants | 5,000,000 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Transportation, Dept. of | \$ 5,000,000 | \$ 0 | \$ 135,000 | \$ 135,000 | \$ 285,000 | \$ 285,000 | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 |
| Total Unassigned Standings | \$ 19,650,000 | \$ 2,988,070,557 | \$ -50,092,182 | \$ 2,937,978,375 | \$ 492,416 | \$ 2,988,562,973 | \$ 2,991,008,405 | \$ -29,228,033 | \$ 2,961,780,372 | \$ 4,948,208 | \$ 2,995,956,613 |

¹ The standing appropriations for State Aid to Schools, the Resource Enhancement and Protection (REAP) Fund, and the Technology Reinvestment Fund are being adjusted in other legislation that is currently pending.